

By Mr. McDADE (for himself, Mr. ANDREWS of North Dakota, Mr. BELL, Mr. CAHILL, Mr. DELLENBACK, Mr. ESCH, Mr. FINDLEY, Mr. FRELINGHUYSEN, Mr. HARVEY, Mr. HORTON, Mr. MATHIAS of Maryland, Mr. MORSE, Mr. MOSHER, Mr. REID of New York, Mr. ROBISON, Mr. SCHNEEBELI, Mr. SCHWEIKER, Mr. SCHWENGEL, Mr. SHRIVER, Mr. STAFFORD, Mr. STANTON, Mr. TAFT, and Mr. WHALEN):

H.R. 13483. A bill to provide for extended prison terms when it is found that a felony was committed as part of a continuing illegal business in which the offender occupied a supervisory or other management position; to the Committee on the Judiciary.

By Mr. McDADE (for himself, Mr. ANDREWS of North Dakota, Mr. BELL, Mr. CAHILL, Mr. DELLENBACK, Mr. ESCH, Mr. FINDLEY, Mr. FRELINGHUYSEN, Mr. HARVEY, Mr. HORTON, Mr. MATHIAS of Maryland, Mr. MORSE, Mr. MOSHER, Mr. REID of New York, Mr. ROBISON, Mr. SCHNEEBELI, Mr. SCHWEIKER, Mr. SCHWENGEL, Mr. SHRIVER, Mr. STAFFORD, Mr. STANTON, and Mr. WHALEN):

H.R. 13484. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

By Mr. McDADE (for himself, Mr. ANDREWS of North Dakota, Mr. BELL, Mr. CAHILL, Mr. DELLENBACK, Mr. ESCH, Mr. FINDLEY, Mr. FRELINGHUYSEN, Mr. HARVEY, Mr. HORTON, Mr. MATHIAS of Maryland, Mr. MORSE, Mr. MOSHER, Mr. REID of New York, Mr. ROBISON, Mr. SCHNEEBELI, Mr. SCHWEIKER, Mr. SCHWENGEL, Mr. SHRIVER, Mr. STAFFORD, Mr. STANTON, Mr. TAFT, and Mr. WHALEN):

H.R. 13485. A bill to permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith; to the Committee on the Judiciary.

H.R. 13486. A bill to provide for the abolition of the rigid two-witness and direct-evidence rules in perjury cases; and to provide for the prosecution of contradictory statements made under oath without proof of the falsity of one of the statements; to the Committee on the Judiciary.

H.R. 13487. A bill to provide protected facilities for the housing of Government witnesses and the families of Government witnesses in organized crime cases; to the Committee on the Judiciary.

H.R. 13488. A bill to establish a Joint Committee on Organized Crime; to the Committee on Rules.

By Mr. PATMAN:

H.R. 13489. A bill to amend the Federal Credit Union Act to modernize the loan, investment, and dividend provisions; and for other purposes; to the Committee on Banking and Currency.

By Mr. REUSS (for himself, Mr. MEEDS, Mr. REES, Mr. COHELAN, Mr. WILLIAM D. FORD, and Mr. DOW):

H.R. 13490. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 13491. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. WILLIS:

H.R. 13492. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 13493. A bill to provide for the issuance of a special postage stamp to commemorate the 50th anniversary of the independence of the Baltic States (Estonia, Latvia, and Lithuania); to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.J. Res. 387. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. McDADE (for himself, Mr. ANDREWS of North Dakota, Mr. BELL, Mr. CAHILL, Mr. DELLENBACK, Mr. ESCH, Mr. FINDLEY, Mr. FRELINGHUYSEN, Mr. HARVEY, Mr. HORTON, Mr. MATHIAS of Maryland, Mr. MORSE, Mr. MOSHER, Mr. REID of New York, Mr. ROBISON, Mr. SCHNEEBELI, Mr. SCHWEIKER, Mr. SCHWENGEL, Mr. SHRIVER, Mr. STAFFORD, Mr. STANTON, and Mr. WHALEN):

H. Con. Res. 530. Concurrent resolution to express the sense of Congress that a fight against organized crime is inseparable from efforts to reduce urban poverty; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONABLE:

H.R. 13494. A bill for the relief of Mrs. Emma Cicciotti and Mr. Lino Cicciotti; to the Committee on the Judiciary.

By Mr. RARICK:

H.R. 13495. A bill for the relief of the heirs of Juan Peralta; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 13496. A bill for the relief of Mrs. Irma Ruggeri; to the Committee on the Judiciary.

SENATE

THURSDAY, OCTOBER 12, 1967

The Senate met at 12 noon, and was called to order by Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God, our heavenly Father, whose presence and power is in all the world, and whose guiding spirit is with us in this moment, we beseech Thy favor upon these servants and leaders of the people today. Be with the President, all people in high office and responsible citizens of our Nation and the world.

Grant unto all wisdom and strength to know and do Thy will. Fill us with the love of truth and the desire for right. So rule the hearts of these elected officials that we will see their endeavors prosper in good for all men.

Give us today a new vision of law and order, justice and peace to the honor of the highest concepts of life. We pray in the Master's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 12, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN E. TALMADGE, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. TALMADGE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 11, 1967, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts:

On October 10, 1967:

S. 534. An act for the relief of Setsuko Wilson (nee Hiranaka).

On October 11, 1967:

S. 602. An act to revise and extend the Appalachian Regional Development Act of 1965, and to amend the Public Works and Economic Development Act of 1965; and

S. 1862. An act to amend the authorizing legislation of the Small Business Administration, and for other purposes.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 3973. An act to amend the Healing Arts Practice Act, District of Columbia, 1928, and the act of June 6, 1892, relating to the licensing of dentists in the District of Columbia, to exempt from the licensing requirements of such acts physicians and dentists while performing services in the employ of the District of Columbia; and

H.R. 10509. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1968, and for other purposes.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on the District of Columbia.

(For nominations this day received, see the end of Senate proceedings.)

SOLICITOR GENERAL OF THE UNITED STATES

The legislative clerk read the nomination of Erwin N. Griswold, of Massachusetts, to be Solicitor General of the United States.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 574 and the succeeding measures in sequence.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

UNIFORM SYSTEM FOR FIXING AND ADJUSTING PAY OF EMPLOYEES IN RECOGNIZED TRADES OR CRAFTS

The Senate proceeded to consider the bill (S. 2303) to provide a uniform system for fixing and adjusting the pay of employees in recognized trades or crafts, and for other purposes which had been reported from the Committee on Post Office and Civil Service with amendments on page 2, line 7, after the word "Committee" strike out "(hereinafter called the 'Committee')"; in line 10, after the word "Services," insert "an

elected officer of an organization having a substantial number of members who are employees referred to in section 5341 of this title, who shall be appointed by the President for a term of 2 years,"; in line 14, after the word "Service" strike out "Commission." and insert "Commission who shall be Chairman of the Committee"; in line 16, after the word "shall" strike out "promulgate" and insert "prescribe"; on page 3, line 4, after the word "prevailing" strike out "rates which shall be contiguous geographic areas" and insert "rates"; in line 9, after the word "Board" strike out "which shall consist" and insert "composed"; in line 11, after the word "having" insert "a significant number of"; in line 12, after the word "area" insert "and one representative of an organization having recognition and representing the largest number of such employees in the area"; in line 15, after the word "regulations" strike out "promulgated" and insert "prescribed"; in line 16, after the word "Board," insert "with the technical staff assistance of an agency within the area designated by the Committee," in line 18, after the word "shall" insert "plan and conduct a wage survey, analyze data collected in the survey,"; at the beginning of line 20, strike out "apply" and insert "issue wage schedules based on"; in the same line, after the word "rates" strike out "of pay"; on page 4, line 2, after the word "with," strike out "the Fair Labor Standards Act of 1938 (52 Stat. 1060), as amended (29 U.S.C. 201-219)," and insert "chapter 8 of title 29,"; in line 5, after the word "of" strike out "the Act of March 3, 1931 (46 Stat. 1494), as amended (40 U.S.C. 276a-276a-5)." and insert "sections 276a-276a-5 of title 40,"; in line 13, after the word "for" strike out "such" and insert "those"; after line 19, strike out:

"(g) When the Civil Service Commission concurs in a finding by the Committee that the number of employees referred to in section 5341 of this title in a wage area is so few as to make prevailing rate determinations impracticable, those employees shall be subject to the provisions of subchapter III of this chapter and chapter 51 of this title which are applicable to positions of equivalent difficulty or responsibility.

And, in lieu thereof, insert:

"(g) Whenever an Area Wage Board determines that there are so few Federal wage board employees in a wage area as to make wage surveys impracticable, it shall notify the Committee. The Committee shall determine the prevailing rates for those positions in accordance with the prevailing rates paid in another wage area.

On page 5, after line 8, insert:

"(h) The Civil Service Commission, after consulting the agencies, shall prepare and publish standards for placing positions in their proper classes and grades. Each agency shall place each position under its jurisdiction in its appropriate class and grade in conformance with standards published by the Commission or, if no published standards apply directly, consistent with published standards.

In line 18, after the word "Council" strike out "(hereinafter called the 'Council')"; in line 21, after the word "sent" strike out "Federal"; in the same line, after the word "organizations" insert

"having recognition and representing employees referred to in section 5341 of this title,"; after line 23, strike out:

"(b) The Council may submit reports and recommendations to the Federal Wage Board Committee concerning the determination of prevailing rates and the criteria, standards and regulations used for that purpose; to Area Wage Boards concerning the determination of prevailing rates within a particular area; and to the Civil Service Commission concerning the classification of positions and other conditions of employment for employees under the prevailing rates wage system.

And, in lieu thereof, insert:

"(b) The Council may submit reports and recommendations to—

"(1) the Federal Wage Board Committee concerning the determination of prevailing rates and the criteria, standards, and regulations used for that purpose;

"(2) the Area Wage Boards concerning the determination of prevailing rates within particular areas; and

"(3) the Civil Service Commission concerning the classification of positions and other conditions of employment for employees under the prevailing rates wage system.

"The Council shall submit an annual report of its activities and recommendations concerning the administration of the prevailing rates pay system to the Committees on Post Office and Civil Service of the Senate and House of Representatives.

On page 7, line 22, after the word "the" strike out "survey," and insert "survey and issue appropriate wage schedules,"; in line 24, after the word "the" strike out "Area Wage Board" and insert "employing agencies"; in line 25, after the word "changed" strike out "rates" and insert "wage schedules"; on page 8, line 3, after the word "The" strike out "Area Wage Board" and insert "employing agencies"; and in line 6, after the word "than" strike out "thirty days after ordering the wage survey," and insert "the first day of the first pay period which begins on or after the forty-fourth day, excluding Saturdays and Sundays, following the date the wage survey was ordered to be made,"; so as to make the bill read:

S. 2303

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter IV of chapter 53 of title 5, United States Code, is amended to read as follows:

"Subchapter IV—Prevailing Rate Systems

"§ 5341. Trades and crafts

"Employees referred to in section 5102(c) (7) of this title (but not including such employees of agencies excepted by section 5102(a) (1) (i)-(viii) of this title) shall be paid at rates fixed and adjusted in accordance with the provisions of this subchapter as nearly as is consistent with the public interest in accordance with prevailing rates.

"§ 5342. Federal Wage Board Committee

"(a) There is established a Federal Wage Board Committee composed of the Secretary of Defense, the Secretary of Labor, the Administrator of Veterans' Affairs, the Administrator of General Services, an elected officer of an organization having a substantial number of members who are employees referred to in section 5341 of this title, who shall be appointed by the President for a term of 2 years, and the Chairman of the Civil Service Commission who shall be Chairman of the Committee.

"(b) The Committee shall prescribe regulations for the administration of the wage board system designed to accomplish the following objectives:

"(1) Equal pay for equal work for employees referred to in section 5341 of this title who are employed in the same wage area;

"(2) Recruitment and retention of well qualified employees at rates of pay and working conditions comparable to private enterprise in the wage area; and

"(3) Recognition of particular skills, job requirements, or responsibilities in Federal positions which are not present in private enterprise.

"(c) The Committee shall establish wage areas for the determination of prevailing rates. In establishing such areas, the Committee shall consider the nature and similarity of the population, employment, manpower, and industry.

"(d) Within each wage area, there is established an Area Wage Board composed of a chief official of each agency, designated by the head of such agency, having a significant number of employees referred to in section 5341 of this title located within such area and one representative of an organization having recognition and representing the largest number of such employees in the area. Pursuant to the uniform regulations prescribed by the Committee, an Area Wage Board, with the technical staff assistance of an agency within the area designated by the Committee, shall plan and conduct a wage survey, analyze data collected in the survey, determine prevailing rates, and issue wage schedules based on such rates for all Federal employees within the area. A wage survey shall be conducted within a wage area whenever changes in prevailing rates within the area indicate the necessity for a survey, but at least once in each calendar year.

"(e) In making wage surveys, an Area Wage Board shall disregard rates paid to employees who are not covered by, or rates which are not in compliance with, chapter 8 of title 29, and rates which have been determined to be in violation of sections 276a-276a-5 of title 40.

"(f) Whenever an Area Wage Board determines that in private enterprise there is an insufficient number or kind of comparable positions or activities to determine prevailing rates for one or more Federal positions or activities, it shall notify the Committee. The Committee shall determine the prevailing rates for those positions or activities in the wage area in accordance with the prevailing rates paid in another wage area which has a sufficient number of comparable positions or activities and which is determined by the Committee to be most similar in the nature of its population, employment, manpower, and industry to the wage area for which rates are being determined.

"(g) Whenever an Area Wage Board determines that there are so few Federal wage board employees in a wage area as to make wage surveys impracticable, it shall notify the Committee. The Committee shall determine the prevailing rates for those positions in accordance with the prevailing rates paid in another wage area.

"(h) The Civil Service Commission, after consulting the agencies, shall prepare and publish standards for placing positions in their proper classes and grades. Each agency shall place each position under its jurisdiction in its appropriate class and grade in conformance with standards published by the Commission or, if no published standards apply directly, consistent with published standards.

"§ 5343. Federal Wage Board Council

"(a) The President shall appoint a Federal Wage Board Council of seven members, the chairman of which shall be a Commissioner of the Civil Service Commission. Three members shall represent employee organizations having recognition and representing employees referred to in section 5341 of this title, and three members shall represent the general public.

"(b) The Council may submit reports and recommendations to—

"(1) the Federal Wage Board Committee concerning the determination of prevailing rates and the criteria, standards, and regulations used for that purpose;

"(2) the Area Wage Boards concerning the determination of prevailing rates within particular areas; and

"(3) the Civil Service Commission concerning the classification of positions and other conditions of employment for employees under the prevailing rates wage system.

"The Council shall submit an annual report of its activities and recommendations concerning the administration of the prevailing rates pay system to the Committees on Post Office and Civil Service of the Senate and House of Representatives.

"(c) Members of the Council representing the general public shall be paid at the rate of \$100 a day for each day of actual service. Members of the Council shall be paid travel expenses, including a per diem allowance in accordance with section 5703(b) of this title.

"(d) The Council shall upon majority vote appoint an Executive Director. The Chairman may appoint such other employees as are necessary. The Executive Director and other employees may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and their pay shall be fixed without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but their rates of pay shall not exceed the rates payable under such provisions to persons with comparable duties and responsibilities.

"(e) Members of the Council shall serve a term of 4 years. Vacancies shall be filled in the manner of the original appointment.

"§ 5344. Effective date of pay adjustment

"Upon completion of a wage survey, an Area Wage Board shall determine the prevailing rates for the wage area covered by the survey and issue appropriate wage schedules. After a determination that prevailing rates have changed, the employing agencies shall fix and adjust, in accordance with such changed wage schedule, the rates of pay of those employees referred to in section 5341 of this title who are affected by such survey and rate determination. The employing agencies shall also determine the date such changed rates are to take effect, but such effective date shall not be later than the first day of the first pay period which begins on or after the forty-fourth day, excluding Saturdays and Sundays, following the date the wage survey was ordered to be made.

"§ 5345. Retroactive pay

"(a) Retroactive pay is payable by reason of an increase in rates of pay referred to in section 5344 of this title only when—

"(1) the individual is in the service of the United States, including service in the Armed Forces, or the government of the District of Columbia on the date of the issuance of the order granting the increase; or

"(2) the individual retired or died during the period beginning on the effective date of the increase and ending on the date of issuance of the order granting the increase, and only for services performed during that period.

"(b) For the purpose of this section, service in the Armed Forces includes the period provided by statute for the mandatory restoration of the individual to a position in or under the Government of the United States or the government of the District of Columbia after he is relieved from training and service in the Armed Forces or discharged from hospitalization following that training and service.

"§ 5346. Crews of vessels

"(a) Except as provided in subsection (b)

of this section, the pay of officers and members of crews of vessels excepted from chapter 51 of this title by section 5102(c) (8) of this title shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry.

"(b) Vessel employees of the Panama Canal Company may be paid in accordance with the wage practices of the maritime industry."

"(b) The analysis of subchapter IV of chapter 53 of title 5, United States Code, is amended to read as follows:

"SUBCHAPTER IV—PREVAILING RATE SYSTEMS

"Sec.

"5341. Trades and crafts.

"5342. Federal Wage Board Committee.

"5343. Federal Wage Board Council.

"5344. Effective date of pay adjustment.

"5345. Retroactive pay.

"5346. Crews of vessels."

SEC. 2. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

SEC. 3. This Act shall take effect one hundred and twenty days following the date of enactment of this Act, except that all rates of pay in existence as of the date of enactment of this Act shall remain in effect until the provisions of this Act have been made effective.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 592), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This legislation has been developed by the committee to provide a new basic framework for setting and periodically revising the rates of pay for blue-collar Federal employees whose salaries are determined according to prevailing rates in private enterprise in the locality where they work.

There are now about 60 different agency systems in the executive branch for determining wage board pay rates. Approximately three-fourths of all blue-collar employees are paid under the Army-Air Force Wage Board or the Navy Wage Committee systems applicable to military installations. The remaining 25 percent are employed in various executive agencies, mainly the Department of the Interior, the General Services Administration and hospitals under the Veterans' Administration.

There are three serious disadvantages characteristic of the present systems.

(1) There is no central authority in the executive branch to develop and apply on a governmentwide basis rules and procedures to be followed by employing agencies for surveying prevailing rates in private enterprise, interpreting data, and establishing wage schedules;

(2) With minor exceptions, employees or their representatives are not permitted to participate in the process of surveying prevailing rates and the establishment of wage schedules.

(3) There is no method whereby special skills or unusual job requirements applicable to Federal employees not found in local private enterprise can be adequately evaluated, or particular occupational characteristics of Federal employment can be equated with comparable positions in private enterprise in localities outside the local wage area.

S. 2303 is designed to resolve these specific problems.

JUSTIFICATION

There are about 700,000 Federal employees whose rates of hourly pay are determined by an agency wage board or a similar administrative pay system in the executive branch. Originally developed to pay employees at navy yards during the Civil War, wage board systems are now applicable to almost all blue-collar employees who work for the Federal Government. There are certain specific exceptions by law, including the Tennessee Valley Authority, the Panama Canal, the Virgin Islands, the Atomic Energy Commission, the Alaska Railroad, and a few others. The payroll for blue-collar employees subject to wage board systems now exceeds \$4 billion annually.

Although Congress has from time to time investigated the wage board pay situation, there has been little legislative action in this field. The systems have been primarily administrative since their development and no consideration is given these pay systems in ordinary congressional consideration of pay legislation for postal and classified employees. The lack of proper legislative investigation and action over the years has led to a multiplicity of rules, principles, and pay regulations.

UNIFORM PRINCIPLES GOVERNING PAY

The most frequent complaint registered by employees and their representatives is that pay rates for the same job in the same area in two different agencies may vary substantially. Numerous specific examples have been presented to the committee in its public hearings on this legislation.

For example: In Washington, D.C., janitors in one agency are paid \$2.40 an hour, and in another agency \$1.61 an hour, a difference of 79 cents. Within the same wage areas outside Washington, rates of janitor's pay varied from \$2.36 to \$2.76; \$2.30 to \$2.65; \$2.33 to \$2.58. In Providence, R.I., pay rates for cooks varies from \$2.33 to \$2.76 an hour. Journeymen electricians in New York City earn \$3.50 an hour in one agency and \$3.55 an hour in another agency. Similar inter-agency pay differences within the same wage area are found throughout the Nation.

These wage differences result from basic differences in philosophy and policy from one agency to another. For example: the Agriculture and Interior Departments have decentralized wage board systems, while decisions in the Army-Air Force Wage Board are centralized at the Pentagon.

The Army-Air Force Wage Board pays food service and custodial employees from their regular wage schedules used for most wage board employees, while the Veterans' Administration uses a separate wage schedule for lower echelon employees.

Different wage board systems have different methods of classification of jobs. The Department of the Navy has 16 separate job levels while the Army-Air Force, which a number of other agencies copy, has 15. The Department of Defense, the Veterans' Administration and the General Services Administration use a three-step pay schedule, while the National Aeronautics and Space Administration uses four steps and the Department of Interior uses one step. The Army-Air Force, Veterans' Administration and the General Services Administration schedules have a 5 percent spread between pay rates within each level, while the Department of the Navy has a 4 percent spread.

All of these factors result in pay differences for the same work at the same level of responsibility in the same wage area, for which there is no justification other than the lack of uniform principles of pay applicable to all employees of the Federal Government.

A veteran's hospital cook, a janitor, a journeyman electrician, a plumber, or a carpenter has more interest in the rate he earns per hour than the particular agency of the Government for which he works. The janitor in Washington, D.C., who earns 79 cents

an hour less than another janitor doing the same job in another agency in Washington has a difficult time understanding the administrative complexities of wage board systems that deprive him of \$1,643.20 pay per year.

The lack of uniform principles applicable to the gathering of data and ascertainment of rates result in one agency surveying particular kinds of industry utilizing particular pay rates in accordance with its own policy, while another agency will survey other business enterprises in the same area, making inclusions and exclusions according to different criteria in keeping with its agency policy.

An example of this practice is that the Veterans' Administration generally accepts survey and rate determinations made by the Army-Air Force Wage Board above certain levels of employment, but makes its own determinations for low-echelon positions. The committee sees no justification for this policy other than budgetary expediency.

EMPLOYEE PARTICIPATION

With the exception of the Navy Wage Committee, which permits employees to participate in the gathering of data and the recommendation of rates to be established by administrative authority in the Department of the Navy, there is no general participation of employees in the wage board systems.

Evidence presented to the committee indicates that as a general rule, gathering of data from private enterprise firms in a locality and its evaluation by the agency is a confidential process which no employee or employee organization is permitted to participate in or to investigate. This system is contrary to practice in modern private enterprise, in which the processes of collective bargaining are guaranteed by Federal law and practiced throughout industry. Postal and classified employees in the Federal service have presented their views to the committees of Congress concerning Federal pay legislation for many years, and under the terms of the Federal Salary Reform Act of 1962, are invited to offer comments and suggestions to the President concerning his recommendations to Congress on salary adjustments.

There is no good reason why employees under the wage board systems should not have a similar right to be represented in the processes which lead to the establishment of their pay rates. There is no good reason for secrecy in the gathering of data or its interpretation by statistical processes to arrive at a prevailing rate.

Executive Order 10988, promulgated by President Kennedy more than 5 years ago, guarantees the Federal employee certain rights for organization and representation in the executive branch. Postal employees are frequently consulted by management concerning postal operations and management decisions. To be represented in the evaluation of evidence leading to the establishment of pay rates is a reasonable extension of the existing policies established by law, tradition, and Executive order.

PROPER COMPARISON OF FEDERAL JOBS TO POSITIONS IN PRIVATE ENTERPRISE

The nature of some positions in the Federal service is such that a reasonable comparison to positions in local private enterprise is difficult or in some cases impossible. This is certainly true when in a nonindustrial area a Federal installation, such as an Air Force base, has highly skilled technicians doing work for which there is no comparable position in private enterprise in the locality.

An engineering technician employed to work on rocket systems cannot be satisfactorily compared to a journeyman electrician or a truck mechanic in ordinary private enterprise. Under present practices, agency

wage boards or administrators set a rate at a given figure which attempts to take into account the degree of difficulty or specialization of the job above that of local private enterprise positions.

The committee does not believe that this is a satisfactory solution to the problem. In many instances in areas outside the area for which the rate is being established, there may be comparable positions in private enterprise. Certainly an engineering technician employed at an aircraft manufacturing firm in Marietta, Ga., would be nearer in job qualifications and requirements to an aircraft maintenance employee at Warner Robins Air Force Base, than a truck mechanic at a privately owned garage at Macon, Ga. The present practice of wage board systems does not go beyond the geographic boundaries of the specific wage board area to utilize such data. It would, however, permit agencies to exclude arbitrarily such rates if Marietta were within the wage board area.

The committee does not believe that unreasonable extensions of the geographic area should be made simply to include a job of similar nature at another city. However, the radius of an imaginary circle restricting a wage board survey does not always serve a meaningful purpose in determining prevailing rates. If comparable employment in private enterprise exists for special skills or job requirements in a similar employment area outside the wage area, such evidence should be taken into account in establishing rates of pay for Federal employees. To recruit and retain good employees in such positions is a desirable and necessary goal. To exclude private enterprise rates because they are beyond the specific limits of the wage area defeats attainment of that goal.

SPECIFIC OBJECTIVES OF THIS LEGISLATION

S. 2303, as reported, does not establish a national wage board system. It is not intended to erase the authority of Federal agencies to administer long-standing agency policies of personnel administration. It does not require or intend to require that all employees be paid similar pay on a nationwide basis. It does not establish a superbureaucracy to enforce rigid policies for all employees in all areas.

S. 2303 does provide the legislative authority for a basic system so that uniform rules governing pay administration can be applied by individual area wage boards on a local basis to determine prevailing rates in private enterprise and apply them to all Federal employees within the wage board area. To achieve this goal, S. 2303 does the following:

(1) Establishes a Federal Wage Board Committee, composed of the Secretary of Defense, the Secretary of Labor, the Administrator of General Services, the Administrator of Veterans' Affairs, the Chairman of the Civil Service Commission, and one elected officer of an employee organization appointed by the President for a term of 2 years, to issue uniform wage board pay regulations applicable to all Federal employees paid at prevailing rates.

This Federal Wage Board Committee shall have basic responsibility to see that the kinds of industry surveyed, the kinds of jobs taken into account in a survey, and the statistical methods utilized for evaluation of raw wage data shall be the same for all agencies. Regulations prescribed by the committee shall be designed to accomplish the basic objectives of equal pay for equal work for wage board employees in the same wage area, recruitment and retention of well-qualified employees at rates of pay and under working conditions which are comparable to private enterprise in the wage area, and recognition of particular skills or job requirements in Federal positions which are not present in local private enterprise.

(2) Establishes area wage boards in each

wage area, composed of a representative of each Federal agency in the area having a significant number of wage board employees plus one representative of an employee organization. The area wage board will have absolute responsibility, with the technical staff assistance of a Federal agency within the area designated by the Federal Wage Board Committee, to survey rates in private enterprise, analyze the results of the survey, determine the rates, and issue rate schedules for all employees within the area.

(3) Establishes a Federal Wage Board Council, to serve in an advisory capacity to the Federal Wage Board Committee and the area wage boards as well as to the Committees on Post Office and Civil Service of the Congress. The Council shall be appointed by the President and shall consist of three representatives of wage board employees, three of the general public, and a Commissioner of the U.S. Civil Service Commission, who shall serve as Chairman. The Council shall have an Executive Director and such other employees as are found to be necessary in order to carry out its duties and responsibilities.

The Federal Wage Board Committee shall be the central authority to issue uniform regulations applicable to all wage board employees in all agencies of the Government. At the same time, the maintenance of an area wage board system in order to retain the significant value of a local prevailing rate system will be retained and improved. Agencies which now follow the lead of the Army-Air Force Wage Board of some other "lead agency" concept in establishing rates for their own employees will instead participate actively on each wage board, along with an employee representative, to gather and evaluate data and issue wage schedules for employees in each agency in the area. Variations of rates within an area for the same job will necessarily come to an end.

The participation of an employee representative will go far to meet Government need as a modern employer. The Federal Wage Board Committee, with central authority to administer the system, will include a representative of an employee organization who shall be an active participant and voting member of the Committee. On each area wage board, a representative of the employee organization having recognition and representing the largest number of wage board employees in the wage board area will be an active participant. The Federal Wage Board Council will serve in an advisory capacity but at the same time will have an advisory staff operation in order to fulfill its functions as an advisory body both to the executive branch and to the Congress.

The necessity for going beyond the geographic limits of a particular area in order to compare rates with similar jobs in private enterprise is resolved by permitting the Federal Wage Board Committee in such circumstances to determine rates for particular occupations in the Federal establishment when the area wage board is unable to identify a sufficient number or kind of positions in private enterprise in the locality for a satisfactory comparison. The Committee, with a broad view of all wage board employment, will be in a proper position to apply suitable rates.

THE ADMINISTRATION POSITION

The problems of the wage board systems have existed for many years. For some years, cooperative efforts between various agencies and the Civil Service Commission to resolve basic policy differences were conducted. In November 1965, President Johnson instructed the heads of certain agencies and the Chairman of the Civil Service Commission to coordinate wage board policy. A special committee to work toward the goal was established. Twenty-three months have passed.

In public hearings before the Committee on Post Office and Civil Service, Chairman

John W. Macy, Jr., of the Civil Service Commission, and representatives of the American Federation of Labor-Congress of Industrial Organizations were asked specifically what progress has been made. Neither Chairman Macy nor the representatives of the AFL-CIO were willing to discuss concrete achievements. No evidence, either in public hearings or in executive discussions with representatives of the Civil Service Commission, has been brought to the committee's attention indicating that a solution of an administrative nature is near.

The committee believes that it is time for Congress to exercise its legislative responsibility toward these 700,000 employees all over the United States under wage board pay systems. The law governing the pay of employees under wage board systems at the present time consists of a single sentence in section 5341 of title 5, United States Code (Public Law 89-554; derived from the Classification Act of 1949, Public Law 81-429). The section reads as follows:

"The pay of employees excepted from Chapter 51 of this title by section 5102(c)(7) of this title shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates."

The committee believes that it is consistent with the public interest to establish by law a fair and equitable pay system for employees in recognized trades and crafts. The present wage board systems have grown over a period of many years and have developed such distinctive characteristics that coordination of them and establishment of basic Government-wide policies without legislative direction would be most difficult.

The committee believes that the 23 months of work which the Civil Service Commission and other Federal agencies have contributed to the establishment of uniform system of wage board pay may prove particularly useful to the Federal Wage Board Committee and area wage boards. It certainly has not been wasted effort. Those members of the Federal Wage Board Committee recommended in this legislation are the Federal officials now responsible for the administration of the largest individual agency wage board systems. There should be no difficulty in transposing the affirmative accomplishments of their efforts to the new wage board system.

Congress has a direct and continuing responsibility to wage board employees to insure that the pay and working conditions are fair and reasonable and consistent with private employment practices in the area. There is not adequate justification for the present system to continue or to be modified by agency action without specific authority and guidelines.

In his testimony before the committee, Chairman Macy also objected to the following specific provisions of the legislation:

(1) The distribution of authority among the Federal Wage Board Committee, the area wage boards, and the Federal Wage Board Council was not clearly defined.

(2) The authority of the area wage boards to establish rates of pay for employing agencies without actual budgetary and administrative responsibility invaded the prerogatives of the individual agencies.

(3) The effective date of pay adjustments for employees subject to wage board schedules was to be 30 days following the date a survey was ordered to be made. This did not allow sufficient time for the completion of a survey and the issuing of wage schedules.

The committee has amended the bill to meet specifically the Commission's objections.

The division of authority between the Federal Wage Board Committee and the area wage boards has been spelled out. The Committee shall prescribe uniform regulations

for the general administration of the wage board system on a nationwide basis, shall establish wage areas for the determination of prevailing rates, and shall set rates in cases when an area wage board determines that there is an insufficient number or kinds of comparable positions or activities in private enterprise to determine prevailing rates for one or more Federal positions or activities.

The area wage boards are vested with the specific authority to survey rates and, with the technical assistance of a Federal agency in the area designated by the Committee, to survey and analyze data, determine prevailing rates, and to issue wage schedules for all employees in the area. The schedules shall be forwarded to the employing agencies and the employing agencies shall take whatever administrative action is necessary to establish such rates of pay.

The effective date of such wage adjustments shall be not later than the 44th day, excluding Saturdays and Sundays, following the date the survey was ordered to be made. This is in accordance with the present wage board effective-date system.

THE POSITION OF ORGANIZED LABOR

Labor organizations representing Federal blue-collar employees are divided in their positions toward the enactment of S. 2303.

The American Federation of Government Employees, which according to 1966 membership figures supplied by the Civil Service Commission represents more than 72,000 wage board employees by exclusive recognition, strongly favors enactment of this legislation. Its national president and regional officers appeared before the committee on two occasions presenting valuable testimony and urging enactment of this legislation. The AFGE is affiliated with the American Federation of Labor-Congress of Industrial Organizations.

Representatives of the AFL-CIO itself appeared before the committee in opposition to enactment of this legislation. Principal affiliates of the AFL-CIO opposed to enactment are the Metal Trade Council, which represents 69,000 blue-collar Federal employees, and the International Association of Machinists which represents 23,206 wage board employees. The National Association of Government Employees, representing 15,000 employees, generally supported legislative action by the committee.

Mr. Andrew J. Biemiller, legislative director of the AFL-CIO, opposed enactment of S. 2303 at this time because:

(1) Negotiations between Federal agencies and labor organizations now in progress should be completed; and

(2) There was no employee representation provided in this legislation as introduced.

The committee's purpose in unanimously recommending legislation at this time has been explained. Further delay or continued reliance on cooperative efforts of executive agencies is unnecessary, undesirable, and an abrogation of congressional responsibility to these 700,000 employees.

The bill as introduced has been amended to provide specifically for labor representation on the Federal Wage Board Committee, each area wage board, and the Federal Wage Board Council to insure that the views and interests of blue-collar Federal employees will be represented.

PUBLIC HEARINGS

Public hearings were held before the Committee on Post Office and Civil Service for 4 days. In addition, the committee asked the Department of Defense, the General Services Administration, the Department of Labor, and the Veterans' Administration to report on the legislation. Agency reports, except for the Department of Defense (which did not submit a report), are included in this committee report.

RELIEF FOR OCCUPANTS OF CERTAIN UNPATENTED MINING CLAIMS

The Senate proceeded to consider the bill (S. 2121) to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims which had been reported from the Committee on Interior and Insular Affairs, with an amendment, strike out all after the enacting clause and insert:

That the first section of the Act entitled "An Act to provide relief for residential occupants of unpatented mining claims upon which valuable improvements have been placed, and for other purposes", approved October 23, 1962 (30 U.S.C. 701), is amended by striking out "five years from the date of this Act" and inserting in lieu thereof "the period ending June 30, 1971".

Sec. 2. Section 6(b) of such Act of October 23, 1962 (30 U.S.C. 706(b)), is amended by striking out "five years from the date of its enactment" and inserting in lieu thereof "the period ending June 30, 1971".

Mr. CHURCH. Mr. President, S. 2121 is a very simple bill. It extends the provisions of the act of October 23, 1962, relating to the relief for occupants of certain unpatented mining claims, to June 30, 1971.

If we do not act now, Mr. President, the act will expire this month. The House Interior and Insular Affairs Committee has reported an identical bill, and I understand the House hopes to consider this legislation next week.

Failure to extend the act will prevent a large number of persons who in good faith have spent considerable sums on improvements on western mining claims, where they have made their principal homes, from seeking relief under its provisions.

The act of October 23, 1962, provides that if an unpatented mining claim is determined to be invalid, the Secretary of the Interior may convey to a qualified applicant title to not more than 5 acres of the claim. In order to qualify an applicant must have been the owner of valuable improvements thereon as of the date of the act. The improvements must have constituted a principal place of residence, which he and his predecessors in interest, were in possession of for not less than 7 years prior to July 23, 1962. Similar provisions apply to a qualified applicant who voluntarily relinquished, to the United States, his rights to an unpatented claim. In both cases, the applicant, under the present provisions of the act, must apply before October 23, 1967. The bill which we now consider would extend this time to June 30, 1971.

The Senate Interior and Insular Affairs Committee, on reporting the bill, amended it to conform to an amendment made by the House committee. The original bills, in both the Senate and House, would have extended the act to 1 year after the date on which the Public Land Law Review Commission submits its final report to the President and the Congress. The amendment changes the termination date to June 30, 1971.

Mr. President, it has been traditional in the Western States that miners built homes and lived on their mining claims. Even though the claims were valid mineral producers, they were often worked

out, and the claimants continued to live upon them, minus a patent. Many times such claims were purchased in good faith as a place of residence by individuals who did not understand the restrictions on the use of unpatented claims.

Under the provisions of S. 2121, the land would not be given the qualified applicant. It would be conveyed only upon payment of the fair market value, less the value of the improvements. The Secretary need not grant fee title, but could grant a lesser interest.

Mr. President, the administration favors the extension of this program, and I believe it is only fair to a large number of our western citizens who for various reasons have not applied to vote the extension to June 30, 1971.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 593), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

Purpose of the bill is to extend the act of October 23, 1962 (30 U.S.C. 701), which otherwise would expire October 23, this year, to June 30, 1971.

AMENDMENT

The amendment to the bill changes the expiration date of the act from the proposed "on or before 1 year after the date on which the Public Land Law Review Commission submits its final report to the President and to the Congress," to June 30, 1971.

The committee believed this would provide a more definite termination date for the act.

NEED

Extension of the act of October 23, 1962, would permit a group of individuals, who for various reasons have not applied, to seek relief under its provisions and would also cover invalidations and relinquishments of mining claims occurring between October 23, 1967, and June 30, 1971. The act presently provides that if an unpatented mining claim is determined to be invalid, and the determination is made between October 23, 1962, and October 23, 1967, the Secretary may convey to a qualified applicant title to not more than 5 acres of the claim. In order to be qualified an applicant must have been the owner of valuable improvements on the mining claim on October 23, 1962, and the improvements must have been a principal place of residence for him and his predecessors in interest for not less than 7 years before July 23, 1962. Under the present act, the applicant must also apply before October 23, 1967.

This bill, as amended, would simply extend the life of the act to June 30, 1971, and would not alter or change any of its other provisions.

Since the early days of the West, miners have historically made homes on their claims. Many claims, valid when first occupied, were worked out or for other reasons were not qualified for patent, but their possessors continued to live upon them. Many of these claims were purchased in good faith as places of residence by persons who believed they obtained legal title to the property. Several thousand unpatented mining claims, it is estimated, are being used in the Western States as residential sites.

Under the act, the land is not given to the applicant, but conveyed only for the fair market value, less the value of improvements

placed on the land. The Secretary of the Interior need not grant fee title, but may grant any lesser interest.

LEGISLATIVE INTENT

In extending this act, it is not the intent of the committee to create a newly vested right, but only to authorize a continued processing of applications until June 30, 1971, based on property improved as of October 23, 1962, and the other criteria of the act.

COST

No additional budgetary expenditures will be required through the enactment of S. 2121.

INCREASE IN NUMBER OF ELECTRIC TYPEWRITERS

The joint resolution (H.J. Res. 516) to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 594), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Pursuant to section 2 of the joint resolution of March 25, 1953, as amended (2 U.S.C. 112a-1), a Member of the House of Representatives is authorized to be furnished, upon request to the Clerk of the House and without charge against his equipment allowance, with not to exceed four electric typewriters (one of which may be automatic) for his official use. If the population of his constituency is estimated by the Bureau of the Budget to be 500,000 or more, he may be furnished under the same conditions with not to exceed five electric typewriters.

House Joint Resolution 516 would amend section 2 referred to above by increasing a Member's electric typewriter allotment from four to five, or if the population of his district is 500,000 or more, from five to six.

COPIES OF CERTAIN HEARINGS ON SPECIAL COMMITTEE ON AGING

The concurrent resolution (S. Con. Res. 46) to provide for the printing of additional copies of certain hearings of the Special Committee on Aging was considered and agreed to, as follows:

S. CON. RES. 46

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Special Committee on Aging five thousand five hundred additional copies each of parts 1 and 2 of its hearings of the Ninetieth Congress, first session, entitled "Retirement and the Individual".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 595), explaining the purposes of the Senate concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 46 would authorize the printing for the use of the Senate Special Committee on Aging of 5,500 additional copies each of parts 1 and 2 of its hearings of the 90th Congress, first session, entitled "Retirement and the Individual."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

PART 1

5,500 additional copies, at \$532.75
per thousand..... \$2, 930. 13

PART 2

5,500 additional copies, at \$367.20
per thousand..... 2, 019. 60

Total estimated cost, S.
Con. Res. 46..... 4, 949. 73

"COSTS AND DELIVERY OF HEALTH SERVICES TO OLDER AMERICANS"

The resolution (S. Res. 174) to print additional copies of hearings on the "Costs and Delivery of Health Services to Older Americans" was considered and agreed to, as follows:

S. RES. 174

Resolved, That there be printed for the use of the Special Committee on Aging two thousand additional copies of its hearings of the Ninetieth Congress, first session, entitled "Costs and Delivery of Health Services to Older Americans".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 596), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 174 would authorize the printing for the use of the Special Committee on Aging of 2,000 additional copies of its hearings of the 90th Congress, first session, entitled "Costs and Delivery of Health Services to Older Americans."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

2,000 additional copies, at \$600 per
thousand \$1, 200

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The resolution (S. Res. 170) to provide additional funds for the Committee on Interior and Insular Affairs was considered and agreed to, as follows:

S. RES. 170

Resolved, That the Committee on Interior and Insular Affairs is hereby authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, \$10,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

EUGENE SIDNEY MARKOVITZ

The bill (S. 948) for the relief of Seaman Eugene Sidney Markovitz, U.S. Navy was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Seaman Eugene Sidney Markovitz the sum of \$3,067.23 representing compensation for the

loss of his household goods and personal effects which were destroyed by fire while stored at the Guardian Van and Storage Company, San Diego, California, following the expiration of his authorized period of temporary storage at Government expense, but during a period the said Seaman Eugene Sidney Markovitz was entitled to additional storage at Government expense, although he was unable to make arrangements for such storage because of the frequent movements in connection with his military service: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 597), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to direct and authorize the Secretary of the Treasury to pay out of any money in the Treasury not otherwise appropriated to Seaman Eugene Sidney Markovitz, U.S. Navy, the sum of \$3,067.63, representing compensation for the loss of his household goods and personal effects which were destroyed by fire while stored at the Guardian Van & Storage Co., San Diego, Calif., following the expiration of his authorized period of temporary storage at Government expense.

STATEMENT

A similar bill, S. 2163 of the 89th Congress, was acted on favorably by the committee and the Senate in the 89th Congress. The facts as revealed by Report No. 1132 on S. 2163 of the 89th Congress are as follows:

"The Department of the Navy has no objection to enactment of the bill in its amended form.

"The records of the Department of the Navy disclose that Interior Communications Electrician First Class Markovitz first placed his household goods in permanent storage at Government expense at the Guardian Van & Storage Co., San Diego, Calif., incident to his orders of July 5, 1960, which directed him to report aboard the U.S.S. *Dutton* (TAGS-22) for duty. These orders were later modified to direct Markovitz to report aboard the U.S.S. *Mullinix* (DD-944) for duty. He reported aboard the *Mullinix* on November 5, 1960. As a result of his modified orders Markovitz desired to ship his household goods to Norfolk, Va. His household goods were transferred from permanent storage to temporary storage at the Guardian Van & Storage warehouse pending shipment at Government expense. The goods remained in temporary storage at the request of Markovitz for the maximum limit of 6 months. On April 3, 1961, Markovitz was notified that his temporary storage would terminate on May 4, 1961. Markovitz acknowledged the notice on April 17, 1961, and inquired where to make payment for storage at his own expense. After May 4, 1961, Markovitz had no entitlement to additional storage at Government expense. Regulations provide that a member may make one election for disposition of his household goods under each set of orders. In this case, Markovitz had elected permanent storage under the orders to the U.S.S. *Dutton* and changed this to temporary storage pending shipment under the orders to the U.S.S. *Mullinix*. He, therefore, was not

entitled to make a new election for further storage at Government expense at the time the 6 months' temporary storage terminated, since he had not received orders to a new duty station. On June 20, 1961, his household goods were destroyed by a fire at the Guardian Van & Storage Co. warehouse. Markovitz submitted his claim for \$4,452.13 in June 1961, and it was denied on March 6, 1962.

"The claim was denied on the basis that the loss occurred while the goods were stored at Markovitz' own expense after the expiration of his authorized 6 months' temporary storage at Government expense. Although the Navy has no authority to pay a claim for loss of household effects which are stored at the owners' expense, for the purpose of this report the Markovitz claim had been adjudicated under procedures that would have been applicable had the Navy Department had cognizance over the claim; and the extent of the loss has been found to be \$3,361.63. Markovitz has subsequently received \$294 of the adjudicated claim from the Guardian Van & Storage Co.

"In view of the facts in this case, the committee is of the opinion that this legislation is meritorious and recommends that the bill, as amended, be favorably considered."

The committee, after a review of the foregoing, adheres to its former recommendation, and recommends that the bill, S. 948, be considered favorably.

DENNIS W. RADTKE

The bill (S. 2178) for the relief of Dennis W. Radtke was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dennis W. Radtke, N90 W17051 Appleton Avenue, Menomonee Falls, Wisconsin, the sum of \$100, in full settlement of his claim against the United States for refund of that amount required to be paid by him to the United States on account of his cashing of stolen Canadian money order numbered B-73,156,990, on December 10, 1964, while serving as an employee of the United States Post Office Department. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 598), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay to Dennis W. Radtke, N-90 W-17051 Appleton Avenue, Menomonee Falls, Wis., the sum of \$100, in full settlement of his claim against the United States for refund of that amount required to be paid by him to the United States on account of his cashing of stolen Canadian money order numbered B-73,156,990, on December 1, 1964, while serving as an employee of the U.S. Post Office Department.

STATEMENT

The Post Office Department has no objection to the enactment of this legislation. The report of the General Counsel of the Post Office Department to the committee states the following:

"Records in the Department show that on December 10, 1964, a Canadian postal money order numbered B-73,156,990 in the amount of \$100 was presented to Mr. Radtke for cashing at his window in the Menomonee Falls, Wis., post office. Following cashing procedures established by Postal Manual, part 171.3, Mr. Radtke required the patron to show proper identification. He also examined a presumably current list (dated Nov. 5, 1964) of stolen Canadian money order forms attached to a clipboard near his window to determine whether or not the money order presented was stolen. The money order presented was not on the list, and he therefore cashed it.

"The postmaster at Menomonee Falls verified that the current list (dated Dec. 3, 1964), which showed the money order to be stolen, was detached from his copy of the Postal Bulletin and given to a window clerk to be attached to the clipboard. It was not attached, however, and it could not be determined which window clerk had failed to attach it, and the list could not subsequently be found. On the basis of these facts the postal inspector held Mr. Radtke liable for the loss on the ground that it was his responsibility to make certain that the current list was posted at his window.

"Further investigation, however, disclosed that the list of stolen Canadian money orders is not revised on a regular schedule, but only when there is a change to be made. Accordingly, Mr. Radtke could not be considered to be on notice that the list he consulted was outdated. We believe that Mr. Radtke acted in a prudent manner and took every precaution under the circumstances.

"The Department sought reimbursement for Mr. Radtke through administrative channels in separate letters to the General Accounting Office relying on the provisions of 31 U.S.C. 82a-1 and 39 U.S.C. 2401, respectively. The General Accounting Office held, in letters dated February 2 and May 9, 1967, that the above provisions of the United States Code provide no authority to reimburse Mr. Radtke administratively. In these circumstances, and in the absence of any other statutory authority for this purpose, the Department has no objection to the enactment of private relief legislation for Mr. Radtke such as that proposed in S. 2178."

After study of the foregoing, the committee concurs in the recommendations of the Post Office Department and recommends that the bill, S. 2178, be considered favorably.

HOMER T. WILLIAMSON, SR.

The bill (S. 2200) for the relief of Homer T. Williamson, Sr., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2200

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Homer T. Williamson, Senior, of Warner Robins, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of \$490, representing overpayments of salary received by him as a civilian employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from September 3, 1963, through April 12, 1965, as the result of administrative error in adjusting the salary of the said Homer T. Williamson, Senior, upon completion of the two-year period during which he was entitled to retain the rate of pay he was receiving prior to a demotion due to a reduction in force. In the audit and settlement

of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amounts for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Homer T. Williamson, Senior, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of any amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 599), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve Homer T. Williamson, Sr., of all liability to refund to the United States the sum of \$490 representing an overpayment of salary received as an employee of the Department of the Air Force at Robins Air Force Base, Ga., from September 3, 1963, through April 12, 1965.

STATEMENT

The Department of the Air Force has advised the committee that it has no objection to the enactment of the bill.

In its report on the bill, the Department of the Air Force sets forth the facts as follows:

"Effective September 3, 1961, Mr. Williamson's pay grade was changed from GS-5 to GS-4. He was entitled to, and granted salary retention under section 5337 of title 5, United States Code. Under Air Force regulations in effect on the date of his change to the lower grade, the rate of pay he would have received in that grade, had he not been eligible for salary retention, was GS-4, step g. GS-4, step g, was the maximum scheduled step rate of the grade at the time.

"At the expiration of the salary retention period, September 3, 1963, Mr. Williamson was erroneously placed in GS-4, step 10, GS-4, step g, (now step 7) plus any step increases he would have earned prior to the end of the salary retention period, was the rate of pay he should have received at the expiration of the salary retention period.

"A factor which may have contributed to the error in establishing Mr. Williamson's rate of pay was the change in the number of scheduled step rates of the compensation schedule upon enactment of the Federal Employees Salary Reform Act of 1962 (Public Law 87-793). That act eliminated longevity step increases and included them in the regular rate range.

"The error was discovered in a GAO audit in 1965. Corrective action was taken on all personnel actions. Mr. Williamson was informed of the overpayment and of his indebtedness to the Government. He repaid the indebtedness at the rate of \$10 per pay period and had repaid in full as of April 16, 1967. There is no evidence of lack of good faith on the part of Mr. Williamson or administrative officials.

"Relief was granted by the Congress in a precedent case, Private Law 90-44, 'For the relief of Charles H. Thurston.' The Thurston case involves the identical type of administrative error as that involved in the Williamson case. Overpayments to both employees were questioned by GAO auditors at

the same time on the same GAO Inquiry No. 5Q 0188, dated May 27, 1965.

"Based upon a review of the circumstances of the case and the precedent case, the Department of the Air Force interposes no objection to enactment of the bill."

The committee believes that the bill is meritorious and recommends it favorably.

OMER PENNER

The bill (H.R. 1653) for the relief of Omer Penner was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 600), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to direct the payment out of the war claims fund the amount certified by the Foreign Claims Settlement Commission as the amount Omer Penner, of San Francisco, Calif., would have been entitled to as detention benefits under section 5 (a) through (e) of the War Claims Act of 1948, as amended by the War Claims Act Amendments of 1954, had a timely application been filed.

STATEMENT

The facts of the case as contained in House Report No. 410 are as follows:

"The Foreign Claims Settlement Commission in its report to the committee indicated that it took no position concerning the bill.

"The information submitted to the committee in connection with the bill indicates that Mr. Omer Penner was captured on December 23, 1941, by the Japanese on Wake Island. He had arrived on the island in October of that year as a civilian employee of a contractor—Pacific Naval Air Bases. He therefore was interned as a civilian and was not a military prisoner of war. In January of 1942, he was taken to China. He spent 18 months there in two camps—Woo Sung and King Wan. In August of 1943, he was transported to Osaka, Japan, where he was interned until about May 1945. At that time he was moved to Honsu Island, where he remained until the war's end. At that time he was taken to Yokohama, and from that port returned to San Francisco.

"In attempting to assert his claim for benefits based upon his detention during the war, Mr. Penner attempted to file a claim under the original provisions of the War Claims Act of 1948. He filed this claim on February 28, 1951, but the claim was denied since the act at that time excluded employees of contractors from receiving benefits. As is noted in the report of the Foreign Claims Settlement Commission, Public Law 744 of the 83rd Congress, known as the War Claims Amendments of 1954, amended the act so as to include certain classes of civilian American citizens so as to make them eligible for detention benefits. Although Mr. Penner appears to have been within the group eligible under the amendment, he did not become aware of the change in the law. In this connection, the committee observes that Mr. Penner by reason of the prior rejection of his claim was under the impression that he was not eligible for any benefits. When at length he learned of the enactment of the amendments he inquired concerning his eligibility under the amendment. However, his inquiry was made on August 1, 1956, and at that time he was advised that the time limitations under the act barred Commission consideration of his claim.

"While the Commission attempted to advise all potential claimants of the change in the act and further attempted to send notice of the act's provisions and application forms to potential claimants who were known to the Commission, Mr. Penner due to a change of address apparently received no notice of the amendment to the original act. The committee is advised that at the time in question, Mr. Penner was working on various construction jobs in other parts of the country in the time between the enactment of Public Law 744 in 1954 and his inquiry in 1956. The committee feels that Mr. Penner was diligent in attempting to assert his rights. It is entirely possible that the initial rejection of his attempt to file a claim discouraged his further inquiry and it was not until he became aware of the amendment that he had any actual notice of the fact that he might have been eligible to assert a claim. Further, it must be considered that this bill merely permits the filing of a claim. His eligibility and the amount of benefits to which he is entitled will have to be determined by the Commission in accordance with applicable law. Based on the circumstances of this case, it is recommended that the bill, as amended, be considered favorably.

In agreement with the views of the House, the committee recommends favorable enactment.

FRANK I. MELLIN, JR.

The bill (H.R. 1674) for the relief of Frank I. Mellin, Jr., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 601), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to authorize an addition of 102 hours of annual leave to the leave account of Frank I. Mellin, Jr., of West Orange, N.J., to compensate him for the loss of an equivalent amount of leave in the period from January 1, 1962, through December 31, 1964, as an employee of the U.S. Post Office in Orange, N.J., due to the fact that he was not credited with leave properly due him in that period.

Section 2 of the bill makes it clear that section 203(c) of the Annual and Sick Leave Act of 1951, as amended, concerning limitations on leave shall not apply to the 102 hours which would be added in this manner and will not affect the use of accumulation of other annual leave. Section 2 further makes it clear that the leave added under the authority of the provisions of the bill shall not be settled by means of a cash payment in the event of separation or death.

STATEMENT

The facts of the case as contained in House Report 412 are as follows:

"The report of the Post Office Department to the committee on the bill states that it recommends the enactment of the bill with the correction as to the amount of leave which is provided by the committee amendment.

"Mr. Frank I. Mellin, Jr. was employed by the Post Office Department on February 21, 1961, and at the time of his employment was placed in annual leave category 4. Because of his previous military service, at that time he should have been placed in leave category 6; however, this error did not come to light until January of 1965 at the time Mr. Mellin was appointed as a career

carrier (substitute). It was in connection with his transfer to career carrier (substitute) from his previous classification as a temporary indefinite carrier (substitute) that the personnel section of the Post Office found that Mr. Mellin was not receiving the proper amount of leave credit. As a result of this error and the 30-day ceiling on the accumulated annual leave (5 U.S.C. 6304), Mr. Mellin had been required to forfeit 38 hours in the calendar year 1962, 56 hours in 1963, and 8 hours in 1964. The total of those forfeitures came to 102 hours of leave which under applicable law could not be credited at the time the error was discovered because of the ceiling on accumulated annual leave.

"It is clear to this committee that the particular circumstances of this case justify legislative relief. Had the leave been correctly credited at the time that it was earned, Mr. Mellin would have been in a position to use that leave as other employees were able to do who were properly credited with their leave. However, when the error was recognized, there was no way in which he could either take the leave or have it credited to his account. The Post Office Department recognizes the equities in this case and states its reasons for recommending the legislation as follows:

"There was clear administrative error in this case, and the employee was without fault in the matter. While we believe there is a definite need for general legislation granting agencies authority to correct administrative errors in cases of this kind, we also feel that application of the present law to the particular circumstances of Mr. Mellin's case has resulted in an inequity which can only be corrected by legislative action along the lines provided for in H.R. 1674.

"We recommend that the bill be corrected to indicate the proper amount of leave forfeited and, as corrected, receive favorable consideration."

"In view of the recommendations of the Department and the particular facts of this case, it is recommended that the bill, amended to provide for a credit of 102 hours, be considered favorably."

In agreement with the views of the House, the committee recommends favorable enactment.

JOHN J. McGRATH

The bill (H.R. 2477) for the relief of John J. McGrath was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 602), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to pay John J. McGrath, of Albany, Ga., \$879 to reimburse him for the amount he was required to pay the United States for the loss of registered mail stolen on November 13, 1964, from the mailtruck operated by him as an employee of the Post Office Department.

STATEMENT

The facts of the case, as contained in House Report No. 499, are as follows:

"The bill, H.R. 2477, was the subject of a subcommittee hearing on May 11, 1967. The testimony at that hearing established that on November 13, 1964, John J. McGrath was working as a letter carrier in the post office at Albany, Ga. The schedule on that date called for a collection tour of five contract stations. He was driving a truck which was an old box-shaped van which had the left

door strapped open to keep it from sliding back and forth and in such a position that it could not be locked. When he reached the last substation, Carrier McGrath placed the satchel containing registered mail on a shelf on the back of the dashboard of his truck. On his first trip out of the substation with a heavy load of parcels, he noticed that the satchel was missing. He immediately reported the theft to the Post Office Department. The report of the Post Office Department to the committee on the bill indicates that a subsequent investigation of the accident by Post Office authorities resulted in a determination that Mr. McGrath was negligent in leaving the satchel in an unlocked, unattended truck while making his collections. It is on this ground that the Post Office Department has questioned relief in this instance.

"It was because of the questions raised by the Post Office Department that a hearing was conducted on this bill for the purpose of further developing the facts of the case. Testimony at that hearing indicated that the burden placed on the carrier in making the collections from the contract stations was such that the additional requirement of carrying the satchel of registered mail back and forth was a difficult and awkward requirement. Further, it was indicated that the carriers in that particular post office had followed the practice of placing the registered mail satchel on the shelf in back of the dashboard as was done in this case. Further it appears that packages had accumulated throughout the day from the various contract stations and fell to Mr. McGrath to collect these packages and place them in his truck.

"The committee feels that the fact that the truck could not be locked under these circumstances should be taken as a mitigating circumstance sufficient to justify legislative relief in this instance. Accordingly, it is recommended that the bill be considered favorably."

After a review of the facts of this case the committee concurs in the conclusions reached by the House committee and accordingly recommends that favorable consideration be given H.R. 2477, without amendment.

BILL PASSED OVER

The bill (H.R. 3498) for the relief of Daniel M. Dew & Sons, Inc., and Dewey Campbell was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The ACTING PRESIDENT pro tempore. The bill will be passed over.

FRED W. KOLB, JR.

The bill (H.R. 6189) for the relief of Fred W. Kolb, Jr., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 604), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Fred W. Kolb, Jr., of San Francisco, Calif., of that portion of the indebtedness based on an erroneous payment of compensation paid him by the Army in 1960 which is equal to the amount of additional Federal income tax paid by him for that year as the result of having the erroneous compensation included in his income for that taxable year.

STATEMENT

The facts of the case as contained in House Report No. 424 are as follows:

"The Department of the Army in its report to the committee on the bill has indicated that it has no objection to the bill provided it contains language making it clear that any amounts repaid upon the reduced amount of the indebtedness are not to be deductible for Federal income tax purposes.

"Fred W. Kolb, Jr., retired from the Army as a chief warrant officer (W-4) on October 31, 1957, and began drawing retired pay for over 22 years of service. Following the enactment of Public Law 86-324 (73 Stat. 596 (1959)) the Army paid Mr. Kolb \$3,852 in readjustment pay on January 20, 1960. Payment was improper because Mr. Kolb was immediately eligible for retired pay when he retired from the Army and also because he had not been involuntarily separated. As a result of the overpayment he was taxed an additional \$1,198.44 for 1960. This amount has been verified by the Internal Revenue Service, after determination of the overpayment in 1962 and collection action by the Department of the Army.

"Mr. Kolb on April 14, 1964, filed an amendment to his 1960 tax return seeking a refund of the additional tax for 1960 but the claim was denied. No administrative means have been available to allow a credit for any taxable year for any part of the additional \$1,198.44 paid for 1960 because Mr. Kolb as of May 1, 1966, has repaid only \$2,015.42 of the \$3,852.00 received in readjustment pay. Section 1341(a) of the Internal Revenue Code of 1954 (26 U.S.C. 1341(a)) requires repayment of more than \$3,000 in a taxable year to authorize such a credit. Mr. Kolb is repaying his indebtedness by monthly deductions of \$59.58 from his retired pay and is entitled only to a deduction for the amount of the indebtedness repaid during a taxable year if he elects to itemize deductions on his return.

"The Treasury Department advises that Mr. Kolb has not received any tax savings as a result of deductions taken from year to year in repaying the indebtedness, but Mr. Kolb has not completely refunded the overpayment and the possibility of a double tax benefit in 1966 or subsequent years is still present, through both the reduction in the liability of Mr. Kolb called for by this bill and his claiming deductions in the year of repayment. The Army commented that conceivably through a refund claim for earlier years, Mr. Kolb might also still claim deductions for amounts repaid in earlier years. The committee agrees that it is appropriate that a double tax benefit not be permitted.

"The bill introduced in the 90th Congress as H.R. 6189 contains the following language:

"No amount repaid by Mr. Kolb in satisfaction of the indebtedness to the United States described in the preceding sentence shall be allowed as a deduction for purposes of the Federal income tax."

"The report submitted to the committee on a similar bill in the 89th Congress suggested language which has a similar purpose. The committee has, therefore, determined that the language substantially meets the purposes outlined in the Army report. The Army stated that a possible refund claim might be asserted which would result in a double tax benefit should the relief provided in this bill be extended to Mr. Kolb. The committee agrees that this point should be made clear, however, normally a claim for refund must be made within a 3-year period and it appears that more than 3 years have now passed since the tax was paid on the 1960 income.

"In view of the position of the Department of the Army that it has no objection to the bill and the circumstances of this case, the committee recommends that relief be extended to Mr. Kolb as provided in the bill,

which merely relieves him of liability for the amount of additional Federal income tax due to the erroneous payment of compensation. It is recommended that the bill be considered favorably.

"The committee has been advised that an attorney has rendered services in connection with this matter and, accordingly, the bill carries the customary attorney's fee proviso."

In agreement with the views of the House, the committee recommends favorable enactment.

JESSE W. STUTTS, JR.

The bill (H.R. 6663) for the relief of Jesse W. Stutts, Jr., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 605), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve Jesse W. Stutts, Jr., of liability to pay \$1,294.40, representing the aggregate amount of overpayment of compensation received by him during the period beginning April 8, 1963, and ending May 29, 1965, both dates inclusive, as an employee of the Department of the Army at Redstone Arsenal, Ala., due to an administrative error which occurred without fault on his part. The bill would also permit the refund of any amounts paid or withheld because of this particular liability.

STATEMENT

The facts of the case as contained in House Report 428 are as follows:

"The Department of the Army in its report to the committee on the bill has indicated that it has no objection to the bill, and the Comptroller General, while questioning individual relief, noted the 'complexities and confusion' involved in administering the laws giving rise to the problem and recommends general relief.

"Erroneous pay determinations were made in Mr. Jesse W. Stutts' case by Government personnel in attempting to apply the saved pay provisions of the Classification Act of 1949 as affected by the Postal Service and Federal Employees Salary Act of 1962. Apparently, the task of the Government personnel involved was complicated by the lack of timely regulations explaining the complex procedures involved.

"The difficulty in this case dates back to April 9, 1961, when a demotion from grade GS-13 to grade GS-12 became effective in Mr. Stutts' case. Having served continuously in a higher grade for 2 years at the time of demotion, he was eligible for and continued to receive the pay of the higher grade for 2 years (72 Stat. 830 (1958)) instead of the pay he would otherwise have received for step 6 of grade GS-12 until October 21, 1962, and thereafter for step 7, as added by the Salary Reform Act of 1962 (76 Stat. 841). Upon the expiration of Mr. Stutts' 2-year salary retention period on April 8, 1963, Army administrative personnel erroneously interpreted the provisions of the Salary Reform Act of 1962, which had increased from six to nine the number of scheduled step increases in grade GS-12, as authority to place Mr. Stutts in step 8, the next higher pay period of GS-12 above his saved rate, and as authority to advance him on September 22, 1963, to step 9. The Civil Service Commission specifically provided, however, in Federal Personnel Manual Letter No. 531-27, dated May 10, 1963, that the increase in the number of steps under the Federal Salary Reform Act

of 1962 did not authorize an increase above the rate established during the salary retention period. Under this interpretation Mr. Stutts should have been placed in step 7 of grade GS-12 instead of step 8 upon the expiration of his 2-year salary retention period and was not entitled to be advanced to step 9 on September 22, 1963. An audit in 1965 revealed that these errors had resulted in overpayments of \$1,294.40 from April 8, 1963, through May 29, 1965.

"The Comptroller General in his report traced the history of the action taken in Mr. Stutts' case, and outlines the steps which should have been taken. The highest step in Grade GS-12 which could have been selected at the time of downgrading as a basis for the salary rate of Mr. Stutts at the expiration of the 2-year retention period was step 6. Following this, on October 21, 1962, he would have been entitled to be granted a constructive within-grade increase to step 7 under section 602(b) (10) of Public Law 87-793, and in April 1963 following the expiration of his saved pay period he would have been entitled to have his salary rate so fixed.

"Upon discovery of the errors the agency corrected or canceled all improper personnel actions subsequent to April 8, 1963. Such action resulted in changing the employee's salary rate from GS-12, step 8, \$11,680 to GS-12, step 7, \$11,365 per annum on April 8, 1963; from GS-12, step 9, \$11,995 per annum, to GS-12, step 7, \$11,365 per annum on September 22, 1963; and from GS-12, step 9, \$12,620 and \$13,090 (statutory increases), to GS-12, step 7, \$11,960 and \$12,380 per annum as of January 12 and July 12, 1964. On the basis thereof the agency determined that during the period from April 8, 1963, through May 29, 1965, Mr. Stutts had been overpaid in the gross amount of \$1,294.40 and upon being so advised he agreed to make repayment and is doing so by means of payroll deductions of \$10 per biweekly pay period.

"The committee finds that this is a proper case for legislative relief. In indicating that it had no objection to relief, the Department of the Army stated that its investigation indicated that Mr. Stutts had acted in good faith and did not suspect any irregularity until he was advised of the error in June of 1965. Further the Army report outlined the financial responsibilities of Mr. Stutts in addition to the liability imposed as the result of the Government's error. In this connection, the Army stated:

"The Department of the Army does not oppose a bill for private relief when a civilian employee has received in good faith and for services performed an erroneous payment made through administrative error. The overpayments in this case resulted from an erroneous interpretation of the Federal Salary Reform Act of 1962, supra, and an oversight of administrative personnel in applying a Civil Service Commission interpretation of the act. There is nothing to indicate that Mr. Stutts did not receive the erroneous payments in good faith and he apparently had no reason to suspect any irregularity until notified of the overpayments by the deputy finance and accounting officer at Redstone Arsenal in June 1965. In a statement submitted to the Department of the Army on August 18, 1965, Mr. Stutts explained that his monthly expenditures exceed his net monthly income. His wife does not work and he is her sole financial support. Since discovery of the overpayments the United States is withholding approximately \$30 each pay period to satisfy the indebtedness. In view of these equitable considerations, the Department of the Army has no objection to the bill."

"In view of the facts outlined above and in the departmental reports, it is recommended that the bill, as amended, be considered favorably."

In agreement with the views of the House, the committee recommends favorable enactment.

MARILYN SHORETTE

The bill (H.R. 6666) for the relief of Marilyn Shorette was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2757) for the relief of Comdr. Albert G. Berry, Jr., was announced as next in order.

Mr. MANSFIELD. Over, Mr. President. The ACTING PRESIDENT pro tempore. The bill will be passed over.

"SPRING GARDEN PLANTING WEEK"

The joint resolution (S.J. Res. 85) to authorize the President to issue annually a proclamation designating the 7-day period comprising the first full week in October of each year as "Spring Garden Planting Week" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 85

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue annually a proclamation designating the seven-day period comprising the first full week in October of each year as "Spring Garden Planting Week," and inviting the governments of the States and communities and the people of the United States to join in the observance of such week with appropriate ceremonies and activities.

The preamble was agreed to.

AMENDMENT OF ACT OF JULY 4, 1966

The Senate proceeded to consider the bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89-491), which had been reported from the Committee on the Judiciary, with an amendment, on page 2, after line 4, insert:

4. By deleting in section 2(b) (1) the word "Four" and inserting in lieu thereof the word "Six"; and by deleting in section 2(b) (2) the word "Four" and inserting in lieu thereof the word "Six".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 609), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF AMENDMENT

The purpose of the amendment is to increase the Senate membership on the Commission from four members to six members, and to increase the House of Representatives membership on the Commission from four members to six members.

PURPOSE

The purpose of the proposed legislation, as amended, is fourfold: First, it would add the Secretary of Commerce as an ex officio member of the Commission; second, it would extend the date on which the Commission shall

report to the President by 1 year—from July 4, 1968, to July 4, 1969; third, it would authorize the appropriation of public funds to finance the work of the Commission; and lastly, it would increase the Senate members on the Commission from four to six, and the House members on the Commission from four to six.

STATEMENT

Public Law 89-491, approved July 4, 1966, established the American Revolution Bicentennial Commission to commemorate the American Revolution. The act required that the Commission submit a comprehensive report recommending to the President an overall program of coordinated commemorative activities on or before July 4, 1968. The congressional members of the Commission were appointed early in 1967, and include Senators John O. Pastore, of Rhode Island, Harry F. Byrd, Jr., of Virginia, Norris Cotton, of New Hampshire, and Edward W. Brooke, of Massachusetts; and Representatives Harold D. Donohue, of Massachusetts, Richard H. Poff, of Virginia, John P. Saylor, of Pennsylvania, and John O. March, of Virginia. The Presidential appointments of the 17 members from private life became effective on February 22, 1967. On that date the first meeting of the Commission was held in Washington, D.C.

At its first meeting the Commission recommended amendments to Public Law 89-491, which would extend the date on which the comprehensive report of the Commission would be due; provide for membership on the Commission for the Secretary of Commerce; and provide for statutory appropriation authorization for such sums as may be necessary for the Commission to carry out the purposes of the act. H.R. 8629 was introduced at the request of the Bureau of the Budget in order to effectuate the changes proposed by the Commission.

It appears that the Commission will consider the question of a major international exposition as part of the bicentennial celebrations. In view of the fact that the Department of Commerce has the major responsibility in the executive branch for fairs and expositions held in the United States, it seems appropriate that the Secretary of Commerce should be an ex officio member of the Commission. The committee is also persuaded that an extension to July 4, 1969, within which to submit its report to the President is warranted.

It was the opinion of many that in view of the great interest of all Americans in the Revolution bicentennial that the Commission should be privately financed. The statute enacted by Congress establishing the Commission specifically requires that it be financed by public donations only. However, in considering H.R. 8629, the committee believes that for the purpose of employing and retaining qualified personnel through the initial 2-year period of planning, coordinating, and report preparation, the assurance of sufficient funds to meet expenses is necessary and that public funds may appropriately be made available for financing the basic planning that the Commission has been directed to do. Therefore, the committee has proposed an amendment to H.R. 8629 to authorize an appropriation not to exceed \$450,000 to cover the expenses of the administrative staff through fiscal year 1969 only. The authorization of \$450,000, for the period ending June 30, 1969, is based on budget estimates of the Commission for salary and other service expenses which run approximately \$225,000 annually. The authorization for appropriations is only through the period fiscal year 1969. The committee believes that Congress should later review the question of whether the Commission should depend on donated funds or Government appropriations to finance its further operations.

The committee believes that H.R. 8629, as

amended, has a meritorious purpose and, accordingly, recommends its favorable consideration.

SOFIA DORR

The bill (S. 362) for the relief of Sofia Dorr was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Sofia Dorr shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 610), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Sofia Dorr. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

DR. BRANDLA DON

The bill (S. 1395) for the relief of Dr. Brandla Don (nee Praschnik) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1395

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Brandla Don (nee Praschnik) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 29, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 611), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ORLANDO O. LOPEZ

The bill (S. 1556) for the relief of Dr. Orlando O. Lopez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for

the purposes of the Immigration and Nationality Act, Doctor Orlando O. Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 16, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 612), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

BERTHA ITURRIOZ ARTECHE

The bill (S. 1865) for the relief of Bertha Iturrioz Arteché was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1865

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Bertha Iturrioz Arteché shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 31, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 613), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JOSE ERNESTO GARCIA Y TOJAR

The bill (S. 1968) for the relief of Dr. Jose Ernesto Garcia y Tojar was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Ernesto Garcia y Tojar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 23, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 614), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

CARLOS FERNANDEZ

The bill (S. 1979) for the relief of Carlos Fernandez was considered, or-

dered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Carlos Fernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 6, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 615), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ANACLETO C. FERNANDEZ

The bill (S. 2005) for the relief of Dr. Anacleto C. Fernandez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Anacleto C. Fernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 31, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 616), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ANTONIO M. TAGLE

The bill (S. 2071) for the relief of Dr. Antonio M. Tagle was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2071

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio M. Tagle shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 28, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 617), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ALBERTO DE JONGH

The bill (S. 2078) for the relief of Dr. Alberto De Jongh was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2078

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alberto De Jongh shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 12, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 618), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

JACQUELINE WHANG-PENG

The bill (S. 2081) for the relief of Jacqueline Whang-Peng was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2081

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jacqueline Whang-Peng shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 1, 1957.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 619), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. OCTAVIO SUAREZ-MURIAS

The bill (S. 2119) for the relief of Dr. Octavio Suarez-Murias was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Octavio Suarez-Murias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 29, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 620), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ANGEL TREJO PADRON

The bill (S. 2139) for the relief of Dr. Angel Trejo Padron was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2139

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Angel Trejo Padron shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 6, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 621), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ROLANDO POZO Y JIMENEZ

The bill (S. 2167) for the relief of Dr. Rolando Pozo y Jimenez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2167

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rolando Pozo y Jimenez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 24, 1959.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 622), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. EDGAR REINALDO NUNEZ BAEZ

The bill (S. 2176) for the relief of Dr. Edgar Reinaldo Nunez Baez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Edgar Reinaldo Nunez Baez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 9, 1963.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in

the RECORD an excerpt from the report (No. 623), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. RAFAEL DE LA PORTILLA LAVASTIDA

The bill (S. 2192) for the relief of Dr. Rafael de la Portilla Lavastida was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Rafael de la Portilla Lavastida shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 13, 1960.

MERCEDES DE TOFFOLI

The bill (H.R. 1572) for the relief of Mercedes De Toffoli was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 625), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant first preference status to the adopted daughter of U.S. citizens, thus enabling her to enjoy the preference of natural-born alien sons and daughters of citizens of the United States.

DR. ALFREDO F. MENDEZ

The bill (H.R. 7324) for the relief of Dr. Alfredo F. Mendez was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 626), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Alfredo F. Mendez, doctor of medicine, as of November 5, 1960, thus enabling him to file a petition for naturalization.

JAN DROBOT

The bill (H.R. 8254) for the relief of Jan Drobot, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 627), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:

PURPOSE OF THE BILL

The purpose of the bill is to exempt Jan Drobot from the provisions of section 313 of the Immigration and Nationality Act.

DR. VIOLETA VORTEGA BROWN

The Senate proceeded to consider the bill (S. 772) for the relief of Dr. Violeta Vortega Brown, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 6, after the word "of" where it appears the first time, strike out "the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the first year that such quota is available."; and insert "October 25, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Violeta V. Ortega Brown shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 25, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 628), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

YANG OK YOO (MARIA MARGURITA)

The Senate proceeded to consider the bill (S. 1490) for the relief of Yang Ok Yoo (Maria Margurita), which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, section 204 (c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of Yang Ok Yoo (Maria Margurita) by Mr. and Mrs. Henry N. Votel, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 633), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of an orphan to be adopted by citizens of the United States, notwithstanding the fact that the prospective adoptive parents have previously had the maximum number of petitions approved. The bill has been amended in accordance with established precedents.

MISS AMALIA SERESLY

The Senate proceeded to consider the bill (S. 1808) for the relief of Miss Amalia Seresly, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 203(a) (1) and 204 of the Immigration and Nationality Act, Miss Amalia Seresly shall be held and considered to be the natural-born alien unmarried daughter of Mr. Demosthenes Raptelis, a citizen of the United States: *Provided*, That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 632), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to qualify for first preference status as the unmarried daughter of a citizen of the United States. The bill has been amended in accordance with established precedents.

SUSAN ELIZABETH (CHO) LONG

The Senate proceeded to consider the bill (S. 1828) for the relief of Susan Elizabeth (Cho) Long, which had been reported from the Committee on the Judiciary, with an amendment, in line 8, after the word "Act" strike out the comma and "subject to all the conditions in that section relating to orphans"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Susan Elizabeth (Cho) Long may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Miss Joyce M. Long, a citizen of the United States, pursuant to section 204 of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 631), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted daughter of a citizen of the United States. The amendment is technical in nature.

LISA MARIE (KIM) LONG

The Senate proceeded to consider the bill (S. 1829) for the relief of Lisa Marie (Kim) Long, which had been reported from the Committee on the Judiciary, with an amendment, in line 8, strike out the comma and "subject to all the conditions in that section relating to orphans", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Lisa Marie (Kim) Long may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in her behalf by Miss Joyce M. Long, a citizen of the United States, pursuant to section 204 of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 630), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted daughter of a citizen of the United States. The amendment is technical in nature.

VIRGILIO A. ARANGO, M.D.

The Senate proceeded to consider the bill (S. 2023) for the relief of Virgilio A. Arango, M.D., which had been reported from the Committee on the Judiciary, with an amendment, in line 6 after the word "of" strike out "July 11, 1961" and insert "July 12, 1961"; so as to make the bill read:

S. 2023

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Virgilio A. Arango, doctor of medicine, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 12, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 629), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended

to reflect the proper date upon which he entered the United States.

MARIAM MANTZIOS

The Senate proceeded to consider the bill (S. 1147) for the relief of Mariam Mantzios which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 4, after the word "Act," strike out "Mariam Mantzios" and insert "Mariana Mantzios"; and in line 7 after the word "said" strike out "Mariam Mantzios" and insert "Mariana Mantzios"; so as to make the bill read:

S. 1147

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mariana Mantzios may be classified as a child within the meaning of section 101(b) (1) (F) of such Act, subject to the proviso to such section, and a petition may be filed in behalf of the said Mariana Mantzios by Mr. and Mrs. Mike Mantzios, citizens of the United States, pursuant to section 204(a) of such Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mariana Mantzios."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 634), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted daughter of citizens of the United States. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization to correct the spelling of the beneficiary's name.

JUAN ANDRES LLITERAS,
AND HIS WIFE

The Senate proceeded to consider the bill (S. 1690) for the relief of Juan Andres Llitteras, and his wife which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 7, after the word "Bellido" strike out "Andres"; and on page 2, line 1, after "1960" strike out the comma and "upon payment of the required visa fee"; so as to make the bill read:

S. 1690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, (a) Juan Andres Llitteras shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 28, 1961; and (b) Engracia Heydrich Bellido Llitteras, the wife of the said Juan Andres Llitteras, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 11, 1960.

The amendments were agreed to.

The bill was ordered to be engrossed

for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Juan Andres Lliteras and his wife, Engracia Heydrich Bellido Lliteras."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 635), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiaries to file petitions for naturalization. The bill has been amended to correct the female beneficiary's name and to delete reference to the payment of the required visa fee, since the fee was paid at the time of the adjustment of status.

DR. MARIO JOSE REMIREZ DEESTENOZ

The Senate proceeded to consider the bill (S. 2022) for the relief of Dr. Mario Jose Ramirez DeEstenoz which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the word "Jose" strike out "Ramirez" and insert "Remirez"; so as to make the bill read:

S. 2022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Mario Jose Ramirez DeEstenoz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 24, 1961.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Dr. Mario Jose Ramirez DeEstenoz."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 636), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization to correct the spelling of the beneficiary's name.

TRANSPORTATION OF CHECKS WITH FORGED SIGNATURES

The bill (S. 1440) to include in the prohibitions contained in section 2314 of title 18, United States Code, the transportation with unlawful intent in interstate or foreign commerce of travelers checks bearing forged countersignatures was announced as next in order.

Mr. TOWER. Mr. President, I am, of course, most pleased that we are about to act favorably on S. 1440, a bill I introduced early this year to include in the prohibitions contained in section 2314

of title 18, United States Code, the transportation with unlawful intent in interstate or foreign commerce of travelers checks bearing forged countersignatures.

The growth and acceptance of commercial travel check facilities in the past few years has uncovered in our statutes a loophole governing the transportation across State lines of fraudulent negotiable instruments. Due to the inherent nature of travelers checks, we virtually always find the element of interstate commerce involved in their use. State and local laws have proven inadequate to deal with the problem of their criminal misuse.

S. 1440 has the endorsement of our Justice Department and, of course, the Senate Judiciary Committee which has favorably reported the bill.

Mr. President, additional broadening of our criminal statutes in this area may be necessary in the future. It is my intention to look further into this possible necessity.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1440

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2314 of title 18, United States Code, is amended by inserting after the third paragraph thereof a new paragraph as follows: "Whoever, with unlawful or fraudulent intent, transports in interstate or foreign commerce any traveler's check bearing a forged countersignature; or"

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 637), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to make it a Federal crime to transport in interstate or foreign commerce, with unlawful intent, traveler's checks bearing forged countersignatures by amending section 2314 of title 18, of the United States Code.

EXPLANATION

Section 2314 of title 18, of the United States Code among other things prohibits the transportation, with unlawful or fraudulent intent, in interstate or foreign commerce of any security knowing it to have been falsely made, forged, altered, or counterfeited.

S. 1440 would enlarge the scope of section 2314 of title 18, United States Code, by adding a new paragraph making it a Federal crime to transport, with unlawful or fraudulent intent, in interstate or foreign commerce, any traveler's check bearing a forged countersignature.

Section 2311 of title 18 of the United States Code includes traveler's checks under the definition of the term "securities" as used in an existing paragraph of section 2314. However, the Attorney General points out in a letter dated July 3, 1967, that the words "falsely made, forged, altered, or counterfeited" have been construed to refer only to the making or execution of an instrument and not to cover a validly executed instrument bearing a forged countersignature (*Streett v. United States*, 331 F. 2d 151 (C.A. 8, 1964)). Prior to the *Streett* decision the Department of Justice had taken the position that the countersignature on a traveler's

check is within the proscription of section 2314.

The American Express Co. states that since the *Streett* decision there has been an increase of reported losses of traveler's checks in excess of 50 percent and a loss increase in dollar amount in excess of 90 percent.

Representatives of the traveler's check industry also state that their records indicate that a great majority of traveler's checks issued are used in interstate commerce. Consequently, lost or stolen traveler's checks are most susceptible to forgeries and illegal transportation.

One firm in the industry states:

"Our files, and those of many enforcement agencies, show conclusively the involvement of organized criminal gangs in the theft and fraudulent encashment of traveler's cheques. In depriving the Federal authorities of jurisdiction, the *Streett* decision has tended to hamper the solution of these crimes, while the stolen traveler's cheques and their proceeds have moved into interstate commerce * * *. The restoration of Federal jurisdiction by the enactment of (this bill) will be an added tool in the hands of Federal authorities in their war on crime and a deterrent to the organized criminals who have profited."

The Attorney General endorses this bill and reports that the Bureau of the Budget has no objections to its enactment.

BILL PASSED OVER

The bill (S. 10932) for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force, was announced as next in order.

Mr. MANSFIELD. Mr. President, over. The ACTING PRESIDENT pro tempore. The bill will be passed over.

DANGEROUS ACTS ABOARD TRAINS

The Senate proceeded to consider the bill (S. 552) to amend title 18, United States Code, in order to provide that committing acts dangerous to persons on board trains shall be a criminal offense which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 9, after the word "board" insert "any trains"; in the same line after the word "anyone" strike out "who he believes will" and insert "about to"; on page 2, line 2, after the word "of" insert "such"; and in the same line, after the word "persons" strike out "on board"; in line 4, after the word "employed" insert "on the line of any common carrier engaged"; in line 5, after the word "commence" strike out "by any railroad"; in line 7, after the word "or" strike out "both." and insert "both."; after line 7, insert:

Upon the trial of any person charged with any offense set forth in this section, it shall not be necessary to set forth or prove the particular person against whom it was intended to commit the offense, or that it was intended to commit such offense against any particular person.

And after line 12, insert:

A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution under this section for the same act or acts.

So as to make the bill read:

S. 552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 97 of title 18 of the United States Code is

amended by inserting at the end thereof a new section as follows:

"§ 1993. Committing acts dangerous to persons on board trains

"Whoever willfully, with intent to endanger the safety of any person on board any train or anyone about to board the same, or with a reckless disregard for the safety of such persons commits any act with respect to any train, engine, motor unit, or car used, operated, or employed on the line of any common carrier engaged in interstate or foreign commerce shall be fined not more than \$5,000 or imprisoned not more than ten years, or both.

"Upon the trial of any person charged with any offense set forth in this section, it shall not be necessary to set forth or prove the particular person against whom it was intended to commit the offense, or that it was intended to commit such offense against any particular person.

"A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution under this section for the same act or acts."

SEC. 2. The analysis of chapter 97 of title 18 of the United States Code is amended by inserting at the end thereof the following:

"1993. Committing acts dangerous to persons on board trains."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 639), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the proposed legislation, as amended, is to amend chapter 97 (Railroads), of title 18, United States Code, to provide that committing acts dangerous to persons on board trains shall be a criminal offense.

LEGISLATIVE HISTORY

S. 552 was introduced in the first session of the 90th Congress by Senator Burdick, on January 19, 1967. The bill was referred to the Committee on the Judiciary, which then referred it to the Special Subcommittee on Criminal Laws and Procedures. Late in the 89th Congress, second session, a similar bill had been introduced by Senator Hart, but no action was taken by the subcommittee since departmental reports on the measure were not received before the adjournment of the Congress.

The subcommittee conducted public hearings on S. 552, along with other bills, on March 7, 8, 9; April 18, 19, 20; May 9; and July 10, 11, 12, 1967. At the hearings in April, the subcommittee heard the testimony of Senator Quentin N. Burdick, who introduced the bill. During the July hearings the subcommittee heard the testimony of Mr. J. L. Hastings, manager of special services for the Atchafalaya, Topeka & Santa Fe Railway System; Mr. E. C. Sloan, district claim agent, and Mr. W. P. Meeker, inspector of police, both with the Pennsylvania Railroad Co.; Mr. D. L. Wood, chief special agent for the Illinois Central Railroad; Mr. T. W. Keating, senior vice chairman, Pennsylvania Lines East of the Brotherhood of Locomotive Firemen & Enginemen, representing the Pennsylvania System General Grievance Committee and the Pennsylvania Reading Seashore Lines; and Mr. Edward L. McCulloch, representing the Brotherhood of Locomotive Engineers, whose membership includes 37,000 railroad employees who operate the Nation's railroads. In addition to representing their employers, Messrs. Hastings, Sloan, Meeker, and Wood also represented the views of the

Association of American Railroads, whose membership comprises railroads that operate 96 percent of the total mileage of all railroads in the United States, have annual revenues approximating 96 percent of the total annual revenues of the railroads, and whose employees constitute 95 percent of the total number of railroad workers in the United States.

STATEMENT

Incidents of stoning and shooting at trains, as well as other acts of vandalism, are becoming more numerous in all parts of the country. Despite the efforts of the railroads and local authorities, the situation is growing worse. Although there has been an increase in the number of persons apprehended for vandalizing trains, the number of trains vandalized and the number of persons injured as a result thereof has increased.

Under existing law it is a Federal crime to wreck trains (18 U.S.C. 1922); to injure property moving in interstate commerce (15 U.S.C. 1281); and to steal interstate shipments (18 U.S.C. 659). There is also existing Federal legislation prohibiting the trespass upon or entering of any train within the "exclusive jurisdiction" of the United States to commit any crime against any person or property thereon (18 U.S.C. 1991). At the present time, however, there is no Federal statute making it a criminal offense to injure persons on interstate trains unless the train is within the "exclusive jurisdiction" of the United States at the time the crime occurs.

Passengers and crew members are apprehensive of traveling in certain areas where acts of vandalism are commonplace. It is thought that, although passage of S. 552 will result in the apprehension of more individuals guilty of committing acts of vandalism against trains, its primary function and aim will be deterrence.

In 1966, according to testimony received by the subcommittee, the combined number of windows broken on the Pennsylvania Railroad, the Chicago & North Western Railroad, and the New Haven Railroad, totaled 5,551. As further evidence of the gravity of the problem, it was pointed out, statistics reveal that for the year 1966 and during the first 4 months of 1967, 236 persons were injured riding in trains operated by the Pennsylvania Railroad as a result of shootings and stonings. These figures become all the more ominous when it is pointed out that there are over 80 major railroads in the United States, and myriad smaller ones.

The seriousness of stoning and shooting at trains cannot be overemphasized, as evinced by the numerous instances of serious injuries inflicted on passengers and crew members thus far, and the potential dangers of injury are frightening. Local police do not have the personnel or the investigative facilities to detect and apprehend persons who are committing these acts so dangerous to passengers and crew riding our trains.

DEPARTMENT OF JUSTICE REPORT

The following letter from the Attorney General, dated April 24, 1967, gives the views of the Department of Justice on S. 552:

"OFFICE OF THE ATTORNEY GENERAL,
"Washington, D.C., April 24, 1967.
"HON. JAMES O. EASTLAND,
"Chairman, Committee on the Judiciary,
"U.S. Senate.

"DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning S. 552, a bill to amend title 18 of the United States Code in order to provide that committing acts dangerous to persons on board trains shall be a criminal offense.

"The bill would add a new section 1993, to title 18, United States Code, to make it a Federal crime for any person to willfully commit any act with respect to a train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce

by any railroad, with intent to endanger the safety of any person on board or whom he believes will board, or with a reckless disregard for the safety of the persons on board. A violation of the proposed section would be punishable by a fine of not more than \$5,000 or imprisonment for not more than 10 years, or both.

"While the bill is framed in broad language and the acts denounced are not specifically defined, Senator Hart stated in introducing an identical measure in the 89th Congress that its provisions were aimed at individuals who throw rocks and other objects at trains (Cong. Rec., Sept. 13, 1966, p. 21412).

"Under existing law, it is a Federal crime to derail or wreck trains or commit acts of depredation against railroad facilities with intent to derail or wreck trains (18 U.S.C. 1922); to destroy or injure property moving in interstate or foreign commerce in the possession of a common or a contract carrier by railroad, motor vehicle, or aircraft (15 U.S.C. 1281); to embezzle or steal interstate or foreign shipments (18 U.S.C. 659); and to embezzle and steal carrier's funds derived from commerce (18 U.S.C. 660). Also, existing law, applicable to the special maritime and territorial jurisdiction of the United States, provides Federal penalties for murder, robbery, or acts of violence against train passengers or crewmembers (18 U.S.C. 1991).

"We have no information that the number or nature of the acts to be proscribed are such that they cannot be handled satisfactorily by the States. Moreover, we assume that, unlike the statutes noted above, most of the instances of missile throwing would involve juveniles, making them more appropriately a subject for local action in juvenile court. Accordingly, we are unable to recommend the enactment of S. 552. However, in the event it is determined that S. 552 warrants favorable consideration, we suggest that a provision similar to that found in sections 659, 660, and 1992, title 18, United States Code, be added as follows:

"A judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution under this section for the same act or acts."

"The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

"Sincerely,

"RAMSEY CLARK,
"Attorney General."

CONCLUSIONS

The very difficulty of controlling vandalism suggests the necessity to bring every possible pressure to bear, both to apprehend individuals who have committed such acts and to deter, to the extent possible, the commission of vandalism against trains, passengers, and crews. Although Congress has enacted a statute making it a Federal criminal offense to injure property moving in interstate commerce (15 U.S.C. 1281) it is not now a criminal offense under Federal law to injure or kill a train passenger or employee—except when such offense occurs in territory within the "exclusive jurisdiction" of the United States (18 U.S.C. 1991). The committee believes that the public interest with respect to the safety of train passengers and employees far exceeds that for the safe transportation of property, and therefore concludes that S. 552, as amended, would constitute a substantial improvement in existing law and recommends that the bill, as amended, be favorably considered.

NATIONAL COMMISSION ON NEW TECHNOLOGICAL USES OF COPY-RIGHTED WORKS

The Senate proceeded to consider the bill (S. 2216) to establish a National

Commission on New Technological Uses of Copyrighted Works which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 16, after the word "Senate," strike out "representing" and insert "selected from"; in line 20, after the word "Senate," strike out "representing" and insert "selected from"; in line 24, after the word "Senate," strike out "representing" and insert "selected from"; and on page 5, line 6, after the word "any" insert "three or more"; so as to make the bill read:

S. 2216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT AND PURPOSE OF COMMISSION

SECTION 1. (a) There is created in the Library of Congress a National Commission on New Technological Uses of Copyrighted Works (hereafter called the "Commission").

(b) The purpose of the Commission is to study and compile data on the reproduction and use of copyrighted works of authorship (1) in automatic systems capable of storing, processing, retrieving, and transferring information, and (2) by various forms of machine reproduction. The Commission shall make recommendations as to such changes in copyright law or procedures that may be necessary to assure for such purposes access to copyrighted works, and to provide recognition of the rights of copyright owners.

MEMBERSHIP OF THE COMMISSION

SEC. 2. (a) The Commission shall be composed of twenty-three members, appointed as follows:

(1) A Chairman, who shall be the Librarian of Congress;

(2) Two members of the Senate, to be appointed by the President of the Senate;

(3) Two members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(4) Seven members, to be appointed by the President, with the advice and consent of the Senate, selected from authors and other copyright owners;

(5) Seven members, to be appointed by the President, with the advice and consent of the Senate, selected from users of copyrighted works.

(6) Four nongovernmental members to be appointed by the President, with the advice and consent of the Senate, selected from the public generally.

(b) The members of the Commission shall appoint by the vote of a plurality of the total membership, a Vice Chairman who shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office. The Register of Copyrights shall serve as an ex officio member of the Commission.

(c) Twelve members of the Commission shall constitute a quorum.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner as the original appointment was made.

COMPENSATION OF MEMBERS OF COMMISSION

SEC. 3. (a) Members of the Commission, other than officers or employees of the Federal Government, shall receive compensation at the rate of \$100 per day while engaged in the actual performance of Commission duties, plus reimbursement for travel, subsistence, and other necessary expenses in connection with such duties.

(b) Any members of the Commission who are officers or employees of the Federal Government shall serve on the Commission without compensation, but such members shall be reimbursed for travel, subsistence, and

other necessary expenses in connection with the performance of their duties.

STAFF

SEC. 4. (a) To assist in its studies, the Commission may appoint a staff which shall be an administrative part of the Library of Congress. The staff shall be headed by an Executive Director, who shall be responsible to the Commission for the administration of the duties entrusted to the staff.

(b) The Commission may procure, without regard to the civil service laws or the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized by section 15 of the Administrative Expenses Act of 1946, but at rates not to exceed \$100 per day.

EXPENSES OF THE COMMISSION

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

REPORTS

SEC. 6. (a) Within one year after the first meeting of the Commission it shall submit to the President and the Congress a preliminary report on its activities.

(b) Within three years after the effective date of this Act the Commission shall submit to the President and the Congress a final report on its study and investigation which shall include its recommendations and such proposals for legislation and administrative action as may be necessary to carry out its recommendations.

(c) In addition to the preliminary report and final report required by this section, the Commission may publish such interim reports as it may determine, including but not limited to consultant's reports, transcripts of testimony, seminar reports, and other Commission findings.

POWERS OF THE COMMISSION

SEC. 7. (a) The Commission or, with the authorization of the Commission, any three or more of its members, may, for the purpose of carrying out the provisions of this Act, hold hearings, administer oaths, and require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of documentary material.

(b) With the consent of the Commission, any of its members may hold any meetings, seminars, or conferences considered appropriate to provide a forum for discussion of the problems with which it is dealing.

TERMINATION

SEC. 8. On the sixtieth day after the date of the submission of its final report, the Commission shall terminate and all offices and employment under it shall expire.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 640), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to establish a National Commission to study and compile data on the reproduction and use of copyrighted works of authorship (1) in the automatic systems capable of storing, processing, retrieving, and transferring information, and (2) by various forms of machine reproduction. The Commission is directed to make recommendations to the President and the Congress concerning such changes as may be necessary to assure for such purposes access to copyrighted works and to provide recognition of the rights of copyright owners.

STATEMENT

The Subcommittee on Patents, Trademarks, and Copyrights of this committee has conducted 17 days of hearings on the general revision of the copyright law. Testimony was received from 150 witnesses, and a number of statements were submitted for inclusion in the hearing record.

Prior to the introduction of copyright revision legislation in the Congress, exhaustive study was given by the Copyright Office and various interested groups to those issues that it was anticipated would require attention by the Congress during the revision program. The current or potential impact of computers and other information storage and retrieval systems on the copyright revision effort was not foreseen and consequently the bill submitted to the Congress did not take into account the significance of this new technology.

The first extensive consideration of these matters in the Congress occurred during the hearings of this committee's Subcommittee on Patents, Trademarks, and Copyrights on S. 597, the general copyright revision bill. At the same time within the executive branch the Committee on Scientific and Technological Information of the Federal Council on Science and Technology was also exploring these problems. It became apparent during the subcommittee examination of this subject that if the Congress were to undertake at this time to make a final determination concerning the possible necessity of modifications in the copyright law, because of various technological advances. It would delay for at least several years the enactment of a general copyright revision bill. Such a delay would be extremely undesirable in view of the obvious need for revision of the copyright statute, which is essentially that enacted in 1909. More importantly, sufficient information is currently not available to provide the foundation for a sound judgment concerning the future development of the technology and the necessity for modification of the copyright statute.

Another important copyright issue arising from technological developments is the reproduction of copyrighted material by the use of various machines. Photocopying in all its forms presents significant questions of public policy, extending well beyond that of copyright law. No satisfactory solutions have emerged in the limited consideration devoted to this problem during the current revision effort.

Therefore, the establishment of some type of study commission appeared to be both necessary and desirable. On July 25, 1967, under the auspices of the Subcommittee, a meeting to discuss a draft bill to establish a national study commission was attended by approximately 150 representatives of authors, publishers, educators, librarians, computer users and the executive agencies. Unanimous support was expressed for the establishment of the Commission. On August 2, 1967, Senator John L. McClellan, Chairman of the Subcommittee, introduced S. 2216.

VIEWS OF GOVERNMENT AGENCIES

The Library of Congress, in its report dated September 5, 1967, endorsed S. 2216.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON TITLE I AGREEMENTS UNDER THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law,

a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the months of July, August, and September 1967 (with an accompanying report); to the Committee on Agriculture and Forestry.

RECOMMENDATION RELATING TO RECAPTURE OF PACIFIC GAS & ELECTRIC CO.'S BUCKS CREEK HYDROELECTRIC PROJECT, PLUMAS COUNTY, CALIF.

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a recommendation relating to the recapture of Pacific Gas & Electric Co.'s Bucks Creek hydroelectric project located on Milk Ranch Creek, Bucks Creek, and Grizzly Creek, tributaries of the North Fork Feather River, all in Plumas County in northern California (with accompanying papers); to the Committee on Commerce.

ESTABLISHMENT OF REDWOOD NATIONAL PARK—REPORT OF A COMMITTEE—AUTHORIZATION TO FILE MINORITY VIEWS (S. REPT. NO. 641)

Mr. KUCHEL. Mr. President, I file with the Senate the report of the Senate Committee on Interior and Insular Affairs on S. 2515. I ask unanimous consent that any minority views which may be filed by Monday of next week be printed together with the majority views as a separate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. For the information of the Senate, I may say that I have been informed that, if there are any minority views, they will be filed today; but I have asked consent to continue that permission until Monday in the event it is necessary.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JAVITS (for himself, Mr. KUCHEL, Mr. INOUE, Mr. HART, and Mr. Moss):

S. 2526. A bill to amend the Unemployment Tax Act to require State law coverage of certain employees of nonprofit organizations and of State hospitals and institutions of higher education; to the Committee on Finance.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 2527. A bill to encourage the movement of butter into domestic commercial markets; to the Committee on Agriculture and Forestry.

S. 2528. A bill for the relief of Dr. and Mrs. Satya Paul Pasricha; to the Committee on the Judiciary.

(See the remarks of Mr. MONDALE when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2529. A bill for the relief of A. G. Bartlett Co.; to the Committee on the Judiciary.

(See the remarks of Mr. HARRIS when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself, Mr. AL-OTT, Mr. DOMINICK, Mr. BIBLE, Mr. CANNON, Mr. BENNETT, Mr. MOSS, Mr. YOUNG of North Dakota, Mr. HANSEN, and Mr. HATFIELD):

S. 2530. A bill to clarify the relationship of interests of the United States and of the

States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL:

S. 2531. A bill to designate the San Gabriel Wilderness, "Angeles National Forest," in the State of California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

REVIEW OF FLOOD PROTECTION PROJECT AT GLASGOW, MONT.

Mr. MANSFIELD (for himself and Mr. METCALF) submitted a resolution (S. Res. 175) relative to reviewing the flood protection project at Glasgow, Mont., which was referred to the Committee on Public Works, as follows:

S. RES. 175

Resolved by the Committee on Public Works of the United States Senate, That the Board of Engineers for Rivers and Harbors is hereby requested to review the report of the Chief of Engineers on the Milk River, Montana, published as House Document No. 88, 73rd Congress, and other pertinent reports, with a view to determining whether the existing flood protection project at Glasgow, Montana, should be modified in any way, at this time with particular reference to the levee alignment in the vicinity of the Frances Mahon Deaconess Hospital.

COVERAGE OF EMPLOYEES OF NON-PROFIT ORGANIZATIONS AND STATE HOSPITALS AND INSTITUTIONS OF HIGHER EDUCATION UNDER THE UNEMPLOYMENT TAX ACT

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from California [Mr. KUCHEL], the Senator from Hawaii [Mr. INOUE], the Senator from Michigan [Mr. HART], and the Senator from Utah [Mr. MOSS], I introduce a bill to amend the Unemployment Tax Act to require State law coverage of certain employees of nonprofit organizations and State hospitals and institutions of higher education and ask that it be appropriately referred. I ask unanimous consent that the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2525) to amend the Unemployment Tax Act to require State law coverage of certain employees of nonprofit organizations and of State hospitals and institutions of higher education introduced by Mr. JAVITS (for himself, Mr. KUCHEL, Mr. INOUE, Mr. HART, and Mr. MOSS) was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2525

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 3304(a) of the Internal Revenue Code of 1954 is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

"(6) (A) Compensation is payable on the basis of service to which section 3310(a) (1) applies, in the same amount, on the same terms, and subject to the same conditions as compensation payable on the basis of other service subject to such law, and

"(B) Payments (in lieu of contributions) with respect to service to which section 3310 (a) (1) (A) applies may be made into the State unemployment fund on the basis set forth in section 3310(a) (2);".

(b) (1) Chapter 23 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new section:

"Sec. 3310. State law coverage of certain service performed for nonprofit organizations and for State hospitals and institutions of higher education.

"(a) STATE LAW REQUIREMENTS.—For purposes of section 3304(a) (6)—

"(1) except as otherwise provided in subsections (b) and (c), the service to which this paragraph applies is—

"(A) service excluded from the term 'employment' solely by reason of paragraph (8) of section 3306(c), and

"(B) service performed in the employ of a State, or any instrumentality of one or more States, for a hospital or institution of higher education, if such service is excluded from the term 'employment' solely by reason of paragraph (7) of section 3306(c); and

"(2) the State law shall provide that an organization (or group of organizations) which, but for the requirements of this paragraph, would be liable for contributions with respect to service to which paragraph (1) (A) applies may elect, for such minimum period and at such time as may be provided by State law, to pay (in lieu of such contributions) into the State unemployment fund amounts equal to the amounts of compensation attributable under the State law to such service. The State law may provide safeguards to ensure that organizations so electing will make the payments required under such elections.

"(b) Section Not to Apply to Certain Service.—This section shall not apply to service performed—

"(1) in the employ of (A) a church or convention or association of churches, or (B) an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches;

"(2) by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order;

"(3) in the employ of an educational institution which is not an institution of higher education;

"(4) in the case of an institution of higher education, by an individual employed in an instructional, research, or principal administrative capacity;

"(5) in the case of a hospital (or in the case of a medical research organization directly engaged in the continuous active conduct of medical research in conjunction with a hospital), by an individual as a physician, dentist, osteopath, chiropractor, naturopath, or Christian Science practitioner, or by an individual employed in an instructional or research capacity;

"(6) in a facility conducted for the purpose of carrying out a program of—

"(A) rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or

"(B) providing remunerative work for individuals who because of their impaired or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; and

"(7) as part of an unemployment work-

relief or work-training program assisted or financed in whole or in part by any Federal agency or an agency of a State or political subdivision thereof, by an individual receiving such work relief or work training.

"(c) Nonprofits Must Be Employers of 4 or More.—This section shall not apply to service performed during any calendar year in the employ of any organization unless on each of some 20 days during such calendar year, each day being in a different calendar week, the total number of individuals who were employed by such organization in employment (determined without regard to section 3306(c)(8) and by excluding service to which this section does not apply by reason of subsection (b)) for some portion of the day (whether or not at the same moment of time) was 4 or more."

(2) The table of sections for such chapter 23 is amended by inserting at the end thereof the following:

"Sec. 3310. State law coverage of certain service performed for nonprofit organizations and for State hospitals and institutions of higher education."

(c) Section 3303 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new subsections:

"(e) Payments By Certain Nonprofit Organizations.—A State may, without being deemed to violate the standards set forth in subsection (a), permit an organization (or group of organizations) described in section 501(c)(3) which is exempt from income tax under section 501(a) to elect (in lieu of paying contributions) to pay into the State unemployment fund amounts equal to the amounts of compensation attributable under the State law to service performed in the employ of such organization (or group)."

"(f) In order to facilitate the orderly transition to coverage of service to which section 3310(a)(1)(A) applies, a State law may, without being deemed to violate the standards set forth in section 3303(a), provide that an organization (or group of organizations) which elects to make payment (in lieu of contribution) into the State unemployment fund as provided in section 3310(a)(2) when such election first becomes available under State law and which has paid contributions into such fund under the State law with respect to said service performed in its employ prior to January 1, 1969 is not required to make any such payment (in lieu of contribution) on account of compensation paid after its election as heretofore described which is attributable under the State law to service performed in its employ, until the total of such compensation equals the amount—"

"(1) by which the amount of contributions paid by such organization (or group) with respect to a period not to exceed 10 years prior to the election provided by section 3310(a)(2) exceeds

"(2) the amount of the compensation for the same period either charged to the account of such organization (or group) or attributable under the State law to service performed in its employ, whichever is appropriate."

(d) The amendments made by subsections (a) and (b) shall apply with respect to certifications of State laws for 1969 and subsequent years, but only with respect to service performed after December 31, 1968. The amendments made by subsection (c) shall take effect January 1, 1968.

Mr. JAVITS. Mr. President, up to now, employees of nonprofit organizations and State hospitals and institutions of higher learning have been excluded from mandatory coverage under the Unemployment Tax Act. The only way they have been able to obtain the benefit of the protection afforded to most other workers

is when their employers have voluntarily agreed to pay the full contribution required of all other employers participating in the system. Needless to say, few employers have chosen to voluntarily participate on this basis and the result has been that more than 1,800,000 workers have been excluded from coverage.

Last year an attempt was made to rectify this anomalous situation. Last year's Unemployment Tax Act bill included provisions which would have required coverage of employees of nonprofit organizations, and of State hospitals or institutions of higher learning. Although there was initially some controversy over these provisions, a compromise was worked out and identical provisions to achieve this result were included in the bills passed by the House and Senate. Unfortunately, differences wholly unrelated to this issue arose which could not be settled by the House and Senate conferees, and the bill died in conference.

The provisions of the bill which I have introduced today are taken practically verbatim from the House and Senate versions of last year's bill.

Existing law would be changed by adding a provision requiring State laws to provide that unemployment compensation is payable with respect to service performed in the employ of nonprofit organizations and State hospitals and institutions of higher learning. In the case of nonprofit organizations, however, State laws would have to provide them the option of making payments into the State unemployment funds on a cost-reimbursement basis.

Not all employees of nonprofit organizations or State hospitals or institutions of higher education would be covered. The following types of services would be excluded from the mandatory requirements of the act: services performed—

First. In the employ of a church or convention or association of churches, or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches;

Second. By a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order;

Third. In the employ of an educational institution which is not an institution of higher education;

Fourth. In the case of an institution of higher education, by an individual employed in an instructional, research, or principal administrative capacity;

Fifth. In the case of a hospital—or in the case of a medical research organization directly engaged in the continuous active conduct of medical research in conjunction with a hospital—by an individual as a physician, dentist, osteopath, chiropractor, naturopath, or Christian Science practitioner, or by an individual employed in an instructional or research capacity;

Sixth. In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earn-

ing capacity is impaired by age or physical or mental deficiency or injury, or providing remunerative work for individuals who because of their impaired or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; and

Seventh. As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any Federal agency or an agency of a State or political subdivision thereof, by an individual receiving such work relief or work training.

In addition, the law would not apply to nonprofit organizations who did not employ at least four or more persons on each of some 20 days during each calendar year, each day being in a different calendar week.

Finally, the bill would allow, but not require, the States to permit nonprofit organizations which elect to make payments on a cost-reimbursement basis into the funds of their respective States a credit for the amount of contributions they have made, if any, during the past 10 years, over and above the payments they would have made had they been permitted to participate in this system on a cost-reimbursement basis. This provision is new; it was not in last year's bill.

Mr. President, this bill represents a long overdue reform. It is a reform that should be considered on its own merits and action on it should not be delayed because of differences of opinion which may exist with respect to other reforms of the Unemployment Tax Act. I, therefore, hope that it will receive the speediest possible consideration by the Senate.

MOVEMENT OF BUTTER OUT OF GOVERNMENT STORAGE INTO DOMESTIC COMMERCIAL MARKET

Mr. MONDALE. Mr. President, I introduce, for appropriate reference, a bill to encourage the movement of butter out of Government storage into domestic commercial markets.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2527) to encourage the movement of butter into domestic commercial markets, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MONDALE. Mr. President, last April I sponsored legislation introduced by my distinguished colleague, Senator McCARTHY, which would provide a dairy price support program through payments made directly to farmers—either for a reduction or an increase in milk production, depending upon the national milk supply situation.

But a substantial segment of the dairy industry—both farmers and processors—does not feel this is the most effective proposal. They believe that dairy farm income could be better strengthened by providing payments to processors, which would enable a decrease in the consumer

price of butter—actually a consumer subsidy.

The only question raised in my mind by these sharply different approaches is which bill best meets the common objective we all share—that of strengthening the dairy industry and increasing dairy farm income.

In my judgment, both bills have merit and deserve full and adequate hearings. I am most hopeful that the Senate Agriculture and Forestry Committee will hold hearings on both proposals as soon as possible, because the dairy farm income situation is very grave today. Low income returns, foreign dumping of dairy products, and drastically reduced exports have combined to place our entire dairy industry in jeopardy.

The dairy bill which I am introducing today is not a major departure from existing dairy programs. It is a supplementary program, designed to prevent butter from piling up in government hands, and to enable butter to move in domestic markets.

Under this bill, the existing dairy price support program would be continued, whereby the Commodity Credit Corporation guarantees a floor, as established by the Secretary, under the return per hundredweight of milk to the dairy farmer.

But this bill adds a significant new feature. If commercial butter markets were so sluggish that the Government was forced to take over ever-increasing quantities of butter, this legislation would enable the Secretary to take remedial action. The retail price for butter would actually be reduced to encourage purchase of all butter production by consumers and consumers would accordingly have the benefit of lower retail prices.

Under present law, the market price is maintained through the purchase of butter by CCC to the extent that consumers fail to purchase this butter at the established support price. Under this proposal, instead of permitting butter to pile up in CCC hands, supplementary payments would enable processors to reduce the retail price of butter until, at the lower level of retail prices, all butter would move into consumption. If this new authority worked as intended, there would be no Government purchases or storage of butter, except to the extent that the Secretary might wish to buy butter to fill Government program requirements.

This program was used during World War II, but for a different purpose. During World War II, it was desired that the production of milk and butterfat be maintained, and even increased, to meet wartime needs of our domestic consumers and our wartime allies, while at the same time holding down prices to combat inflation, and to help implement the wartime price and wage control measures. Prices to plants and consumers were fixed at relatively low levels, and payments were made through plants to encourage dairy farmers to maintain and expand their production.

In 1945, while this program was in effect, the per capita consumption of butter was nearly 11 pounds. At present prices and competitive conditions, per

capita commercial consumption of butter is scarcely 5.5 pounds.

I want to pinpoint some of the problems faced by the dairy industry today, problems which are very serious indeed. Dairy farmers have reduced their production of butterfat, but sales of butterfat in milk and dairy products have declined at a more rapid rate. The total milk produced on farms this year will be less than in 1955—12 years ago—when 122.9 billion pounds of milk were produced. Milk production is estimated about 120 to 121 billion pounds for 1967. During this 12-year period, total population has increased from 166 to 200 million, an increase of 20 percent. On a per capita basis, milk production has declined from 744 pounds in 1955 to 611 pounds in 1966, a decline of 18 percent.

The national dairy herd has been showing a steady downward trend and is at the lowest point recorded in this century. For example, in 1945, 27.8 million cows and heifers 2 years old and older were kept for milk on farms. By 1967, these numbers had declined to about 15.2 million head, a decrease of 45 percent. The major reason we are not having a milk famine in this country is the fact that farmers have been increasing milk production per cow. In 1945, production per cow was 4,787 pounds as compared to 8,513 pounds in 1965.

These figures show conclusively that farmers have adjusted their output and have increased efficiency. The problems in the dairy industry are not production oriented, but in fact are due to declining consumption.

The figures on per capita consumption reveal the source of our difficulties in the dairy field.

In 1955, commercial per capita consumption of fluid milk and cream was 340 pounds, as compared to 278 pounds in 1966—a decline of 18 percent.

The per capita commercial consumption of butter, sharply diminished by wartime programs which were designed to channel milk into other dairy products, declined from 8.3 pounds in 1955 to 5.5 pounds in 1966, a decline of about 34 percent. As compared to prewar, per capita butter consumption is down about 67 percent.

Other dairy products show increases. Cheese commercial consumption per capita increased from 7.4 pounds in 1955 to 9.9 pounds in 1966, a very substantial increase of about 34 percent. Ice cream is up very slightly since 1955.

The data given herein show rather conclusively that the surplus problem in dairy products is not production oriented. Rather, it is due to declining consumption, particularly of butterfat at prevailing prices. Butter consumption must be stabilized and improved before there is any real hope of improving markets for dairy farmers.

In this connection, it is to be noted that there is a strong upward trend in the sale of low-fat milk and skim milk in fluid milk marketing. This results in more butterfat being used in the manufacture of butter. This trend to marketing more low-fat and skim milk in fluid form will go far toward offsetting any reduction in milk and butterfat produc-

tion which manufacturing milk producers might undertake.

This bill would propose a means of revitalizing the commercial market for butter. The butter market is the foundation of the price structure of milk and all other dairy products throughout the United States. A strong butter market is necessary for the maintenance of prices of fluid milk and other dairy commodities for all dairy farmers. Fluid milk and manufactured dairy products, other than butter, compete directly with butter for the butterfat contained in them. Milk and butterfat utilization changes from one commodity to another, depending upon price competition for the raw milk delivered from farms. Whenever the butter market is weak and surpluses are heavy, the price structure for all milk and dairy products is also weakened to the detriment of all dairymen.

This bill asks for a new approach to the problem of dairy farmers. It eliminates surpluses by increasing consumption through more favorable retail prices.

The question may be asked, how the reduction in market prices of butter, which this bill would visualize, would improve the demand for butter. The reasons are very simple.

There can be little doubt that the decline in butter consumption is in large part attributable to the competition of low-priced substitutes. Since World War II, with the advent of colored oleomargarine, the retail price of butter has remained between 40 and 50 cents per pound in excess of the retail price of oleomargarine. This range in price has been one of the major causes, in my opinion, for the decreased consumption of butter. Prior to World War II, butter consumption was 17 pounds per capita. Currently, butter per capita commercial consumption is about 5.5 pounds.

The total consumption of table spreads, that is, butter plus oleomargarine, has declined about 15 percent since prewar days. All of this decline has shown up in the per capita consumption of butter.

It may be the thought of some people that the public is using less fats, primarily for dietary reasons. While it is true that the total consumption of table spreads—butter and oleomargarine—has declined about 15 percent from the prewar level, the fact remains that the per capita consumption of all food fats has increased. Currently, consumers are using more edible fats per capita than they have for many years. Thus, while they were diminishing their intake of table spread fats, such decline has been more than offset by increases in other fat utilization, such as in salad oils and in prepared foods.

It appears to me to be quite clear that the only way butter sales can be regained is by making butter more competitive. It is at least possible that once the demand for butter has been reestablished, payments to plants under this bill can be reduced or eliminated altogether.

The costs of the present price-support program are paid by the general public through taxes. The general public also pays the higher market prices.

Under this proposed program, the general public still would pay the cost of the program through taxes, but would

have the benefit of purchasing larger quantities of butter at much lower prices.

How much would this program cost?

It is very difficult to give any precise comparison of the differences in costs of the proposed program as compared to the present program. About the best we can do is to estimate, on the basis of accepted measures of consumer response to changes in price, just about how much butter will be consumed at different levels in prices, and to compare the cost of encouraging consumers to purchase more through lower prices with the cost of CCC purchases of surplus products.

It is to be emphasized that it would be necessary to continue using the price-

support program of the CCC, even though all butter were consumed under this program. The reason is that nonfat dry milk production is quite large in relation to the commercial consumption of that commodity, but nonfat dry milk has been and is a potent weapon of the worldwide war on hunger. Normally, the CCC purchases about one-half of all nonfat dry milk produced. Therefore, to effectuate the price-support program for milk, it is necessary to purchase nonfat dry milk under the price-support program.

If the price of the skim milk were not supported by the CCC through the purchase program, such skim milk values no doubt would sink to practically zero. In

fact, the skim milk value to farmers might become a negative value because the volume of production is so large relative to existing domestic demand.

The best estimate made by dairy industry experts is that this program, coupled with CCC purchases of nonfat dry milk, probably would cost somewhat more than the current purchase program of CCC. I ask unanimous consent that at this point two tables prepared by the National Milk Producers Federation at my request be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The tables ordered to be printed in the RECORD are as follows:

TABLE 1.—CALCULATION OF COSTS OF CONSUMER SUBSIDY ON BUTTER AS COMPARED TO CCC PRICE-SUPPORT PROGRAM COSTS

Consumption level (billion pounds)	Retail price of butter at each level (cents per pound)	Subsidy cost, cumulative, by levels (million dollars)	Cost of CCC purchases of nonfat dry milk (million dollars)	Total cost of subsidy program (million dollars)	Retail price of butter under price support (cents per pound)	Cost of CCC price-support program (million dollars)	Difference, subsidy program costs less CCC price-support costs (million dollars)
1.1	80.0	0	78.4	78.4	80	78.4	0
1.2	70.9	109.2	121.4	230.6	80	190.8	+39.8
1.3	63.4	205.4	164.0	369.4	80	302.8	+66.6
1.4	57.4	290.8	206.8	497.6	80	415.0	+82.6
1.5	52.3	367.3	249.6	616.9	80	527.2	+89.7

TABLE 2.—CALCULATION OF TOTAL CONSUMER OUTLAYS UNDER CONSUMER SUBSIDY PROGRAM FOR BUTTER AND UNDER CCC PRICE-SUPPORT PROGRAM

Consumption level under subsidy (billion pounds)	Retail value of butter under subsidy (million dollars)	Subsidy on butter, cumulative (million dollars)	Total retail value plus subsidy (million dollars)	Total cost of nonfat dry milk purchases (million dollars)	Total cost of butter plus nonfat dry milk purchases (million dollars)	Retail value of butter under price support (million dollars)	Total cost of CCC price-support program (million dollars)	Total retail value plus CCC price supports (million dollars)	Difference between subsidy total value and CCC total value (million dollars)
1.1	880.3	0	880.0	78.4	958.4	880	78.4	958.4	0
1.2	880.0	109.2	960.0	121.4	1,081.4	880	190.8	1,070.8	+10.6
1.3	825.5	205.4	1,030.9	164.0	1,194.9	880	302.8	1,182.8	+12.1
1.4	803.6	290.8	1,094.4	206.8	1,301.2	880	415.0	1,295.0	+6.2
1.5	784.5	367.3	1,151.8	249.6	1,401.4	880	527.2	1,407.0	-5.8

Mr. MONDALE. These tables show estimates of the cost of this program compared to existing programs. In particular, the second table shows that at the highest level of butter consumption, the total consumer outlay for butter at retail and through Federal programs will be less under this bill. It is to be borne in mind that, under this program, the consumer would have the benefit of larger volumes of butter for his own use, at lower prices. Under the price-support program, the consumer would pay a higher price for smaller volumes of butter.

The strength and key to this program lies in its effective ability to encourage an increase in the demand for butter. Such an increase would be of untold benefit to the entire dairy farming industry, since it would strengthen the price structure for all dairy commodities.

I hope the Congress will consider this bill at an early date, together with other proposals to improve the lot of our dairy farmers, who are in desperate shape. Earlier this year, Senator NELSON and I said in a letter on dairy farm income:

It is one of the ironies of history that the most efficient farm producers in the world are receiving an hourly rate of income less than Congress has insisted be paid to unskilled labor. . . . No rational American would ask a farmer with an investment of \$100,000 to furnish his labor at less than he could earn washing dishes in a restaurant.

RELIEF OF A. G. BARTLETT CO.

Mr. HARRIS. Mr. President, I introduce for appropriate reference, a bill for the relief of the A. G. Bartlett Co.

This company was base contractor at Williams Air Force Base, Ariz., from May 1, 1966, through April 30, 1967. At the time the bid offer was submitted and accepted, the minimum wage to be paid to employees per hour was \$1.25. On September 14, 1966, Congress passed the Minimum Wage Act calling for an increase of wages to \$1.40 per hour. As a result, the A. G. Bartlett Co. suffered a loss of \$8,718.53. This bill would reimburse the company for the loss it incurred due to the passage of that act.

Mr. President, I am hopeful that appropriate action will be taken on this legislation soon, and I ask unanimous consent that the bill be printed in the RECORD, as well as the letter that I received from Mr. A. G. Bartlett, president of the company, bringing this matter to my attention.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2529) for the relief of A. G. Bartlett Co., introduced by Mr. HARRIS, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2529

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the A. G. Bartlett Company of Tulsa, Oklahoma,

the sum of \$8,718.53, in full satisfaction of all claims of such company against the United States for reimbursement for losses incurred under contract numbered AF-02 (600)2590, entered into by the United States with such company, such losses having resulted from increased wage costs arising out of an increase in the Federal minimum wage rate imposed after such company had computed its bid and been awarded such contract: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The letter, presented by Mr. HARRIS, is as follows:

A. G. BARTLETT CO.,
Tulsa, Okla., August 30, 1967.

Hon. FRED R. HARRIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARRIS: We wish to invite your attention to our letter dated 28 June 1967.

We were Base Contractors at Williams Air Force Base, Arizona under contract number AF-02(600)2590, from 1 May 1966 through 30 April 1967. At the time our bid offer was submitted, The Service Contract Act of 1965, Paragraph 1, clearly defined the minimum wage to be \$1.25 per hour effective 20 January 1966. All bid prices were based on this law with no protection allowed or given for government amendments. On 14 September 1966, after our contract was awarded, The Federal Government passed the minimum

wage law raising the rate to \$1.40 per hour, effective 1 February 1967. We were compelled to comply with the law which resulted in a great loss to our company through no fault of our own.

We recently made an appeal for relief and amendment of our Air Force Contract, only to be advised that there is no statutory authority to handle such matters. Attention is further invited to the United States Comptroller General's Opinion, No. B-161321 dated 5 May 1967 on Government Contracts, which states: "The U.S. Comptroller General lacks power to authorize or direct an increase in the contract price".

There are numerous small contractors throughout the United States who are doing business with the government and who have sustained great losses due to the government's refusal to allow changes in the contract so that the contractor will be reimbursed in line with the minimum wage. Apparently the only way that this situation can be corrected is for a bill to be introduced before Congress to rectify this injustice to small business.

I urgently request your support in presenting such a bill before Congress in the immediate future. We will greatly appreciate your consideration and assistance in this matter.

Respectfully,

A. G. BARTLETT,
President.

THE WATER RIGHTS ACT OF 1968

Mr. KUCHEL. Mr. President, I introduce, for appropriate reference, on behalf of myself and the Senators from Colorado [Messrs. ALLOTT and DOMINICK], the Senators from Nevada [Messrs. BIBLE and CANNON], the Senators from Utah [Messrs. BENNETT and MOSS], the Senator from North Dakota [Mr. YOUNG], the Senator from Wyoming [Mr. HANSEN], and the Senator from Oregon [Mr. HATFIELD], a bill to clarify the relationship between the interests of the United States and of the States in the use of the water of certain streams over which jurisdictional conflicts exist.

One of the vexing and as yet unsolved problems directly confronting the Nation, and more particularly western America, is the continuing jurisdictional dispute between the Federal and State governments over the waters of many of our country's streams. This conflict has created uncertainty in the minds of those who would develop our national water resources. An individual or governmental agency cannot be expected to expend large amounts of money on water resource development when it is uncertain with which governmental body it is necessary to deal in order to establish meaningful water rights. Such expenditures are also discouraged when there is a possibility that one's State-created water right will be declared ineffective as against the Federal Government. One direct and relatively simple means of removing this impeding uncertainty is to eliminate the jurisdictional battle which exists between our State and Federal governments. The following are situations sought to be corrected by our bill.

While not altogether beyond argument, various court decisions have seemingly provided a basis for the assertion by the United States that it has a priority of appropriation of all the previ-

ously unappropriated water arising upon reserved or withdrawn Federal lands by virtue of the mere withdrawal or reservation; the priority arising no later than the date of the relevant withdrawal or reservation. In most of the relevant situations, the pertinent withdrawals or reservations are effected before non-Federal water appropriations were made, often during the initial development of various areas in the West. Under this priority theory, the Federal Government can come in at any time, assert its alleged preferential rights, and use as much water as it desires, most likely to the detriment of downstream users. In many cases, notwithstanding this uncertainty, the developmental needs of the West could not be delayed, and water development has been undertaken at a cost of millions of dollars. While the existence of such preferential water rights probably were not intended by Congress, the mere existence of such ambiguity threatens water development throughout the West. Our bill would disclaim that the mere reservation or withdrawal of public land, without more, thereby reserves the water appurtenant to that land. This would in no way prohibit the Federal Government from establishing water rights by specific declaration, or in any other recognized manner. It would merely require the Federal Government to state exactly what rights to what water in what quantity it is asserting. If the quantity claims were known, the threat of this all-consuming Federal water right would be eliminated.

Since water is a scarce commodity in the arid West, another provision of our bill provides that in the West, projects designed to provide beneficial consumptive use of water shall not be interfered with by Federal navigation projects. While this often has been done on a project-by-project basis, the enactment of my bill would establish the overall policy that nonconsumptive uses would be secondary to such uses as municipal, domestic, stockwater, irrigation, mining, and other consumptive uses.

A further provision of this bill requires that when the United States chooses to base its claim to a water right on State law, such State right shall be initiated and perfected in accordance with the procedure established by the appropriate State law. This does not restrict the Federal Government to relying solely on State-created water rights. It merely demands fair play when the Federal Government asserts an alleged State created and administered right to water. A State law may require that approval by a board or other agency, recording, or similar procedure be followed as a prerequisite to the issuance of a water right. This is done in order to facilitate the orderly management of this scarce resource. I repeat that the Federal Government is under no obligation under the terms of this bill to comply with State prerequisites if it seeks other than a State water right. Compliance with State law is required, however, where the benefits of State procedure—a State-created water right—is sought to be obtained by the Federal Government. It would prohibit the Federal Government from asserting

a State water right by virtue of partial compliance with State procedures or prerequisites, but not with them all. This is another step in my efforts to make systematic the acquisition of water rights by the Federal Government.

The bill which we introduce today further provides that when a State-recognized water right, which is a property right, is interfered with by the Federal Government, this taking of property must be compensated. While this rule already applies to projects initiated under the reclamation laws and the Power Act, it does not apply to navigation-oriented projects. The navigation aspect of the project can serve as the justification for the nonapplicability of the "just compensation" provisions of the Constitution. Our bill would protect these private property rights when they are impeded under the guise of navigation in a Federal water project. Our bill also requires that condemnation actions be initiated by the Federal taking authority when the taking of a State-protected water right was other than by agreement. There have been instances where the Federal Government has sought to take, or interfere with, a State-recognized water right but has not initiated a condemnation proceeding. This has forced the injured party to initiate an inverse condemnation action against the United States. If our Government desires to seize private property, fairness dictates that they should not further inconvenience the injured party by forcing him to bring suit in order to acquire compensation, but rather should straightforwardly commence the necessary proceedings itself.

The second section of our bill seeks to preserve many existing situations and prohibits my bill from being interpreted as interfering with the provisions of treaties, interstate compacts, obligations to Indians, and the like.

Mr. President, the clarification of these rights is a longstanding dilemma. The need to clarify the Federal position in connection with water rights was recognized by the Senate Select Committee on Water Resources, of which I was privileged to serve as vice chairman. This clarification as yet has not occurred. By the bill which I introduce today, we seek to achieve a good start on this most necessary clarification. The States of the West demand that the Federal Government play fair and delineate the potential water rights which it may at some future time assert. The fairness and equity of my position demands that action along the lines presented in my bill be taken immediately by the Congress of the United States.

I might add that this legislation has been endorsed by many public agencies in the West, and many groups of distinguished water lawyers; and I send it to the desk for appropriate reference.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2530) to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams, introduced by Mr. KUCHEL (for himself and other

Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SAN GABRIEL WILDERNESS AREA

Mr. KUCHEL. Mr. President, on February 8 of this year, I had the pleasure of introducing a bill, S. 889, which would establish the San Rafael Wilderness Area in the Los Padres National Forest in California. The San Rafael bill is the historic first proposed addition to the Wilderness Preservation System established by the 1964 Wilderness Act. S. 889 passed the Senate on May 2, 1967, and is currently pending in the House, where I understand passage is imminent.

I now introduce for appropriate reference a bill to establish the San Gabriel Wilderness Area in the Angeles National Forest of California. The proposed San Gabriel Wilderness is located in the San Gabriel mountain range in eastern Los Angeles County, approximately 35 miles northeast of the city of Los Angeles. This fine wilderness example lies within 50 miles of approximately 6 million people.

The proposed San Gabriel Wilderness comprises some 36,137 acres, including 34,807 acres currently designated as the Devil Canyon-Bear Canyon Primitive Area. The additional 2,490 acres proposed to be added to the primitive area acreage is contiguous to the primitive area and is also totally within the Angeles National Forest. Thus, no private land nor other public land would have to be acquired in order to establish the San Gabriel Wilderness Area.

Underlying all of the proposed San Gabriel Wilderness is a granitic formation which has been cut to form deep, steep-walled canyons. Elevations range from 2,150 feet on the banks of the west fork of the San Gabriel River to 8,000 feet on Waterman Mountain; a greater portion of the area lies above 5,000 feet. This mountainous area has temperatures ranging from an approximate low of 20 degrees to a high of 100 degrees. Precipitation averages 32 inches a year and primarily occurs between November and March. During this period snow occurs at elevations above 4,000 feet but does not last long because the periods of freezing weather are short. As in the proposed San Rafael Wilderness Area, the proposed San Gabriel Wilderness is most attractive for use in winter and spring, owing to the very hot and dry summer and fall. During the summer and fall the danger of fire is great, the vegetation being explosively flammable, the temperature high, and the humidity low.

The San Gabriel Wilderness is covered primarily with dense chaparral, with some low-grade, noncommercial timber covering approximately one-quarter of the area. While the area abounds in small wildlife, the higher elevations and peaks are part of the natural range of the big horn sheep. Some black bear and innumerable deer reside in the area. Both Devil Canyon and Bear Canyon, located within the proposed wilderness, furnish good fishing for native rainbow trout.

Since fire is a constant threat during the summer and fall months, certain fire control measures are necessary. While

closure of the area during critical months is often required, the threat of lightning fires dictates that firefighting forces must be provided good access over trails from the well-maintained peripheral roads and by helicopters which will land on small, hand-constructed clearings within the area. In addition, aerial fire detection activities will be increased and some fireproofing will be done in spots where visitors tend to rest, eat, or camp.

It is encouraging that the proposal which I introduce today has the support of all relevant Federal and State administrative and resources agencies. My proposal is also enthusiastically supported by a very great number of fine national and local conservation groups, including: The Wilderness Society, the Sierra Club, the Southern California Chapter of Nature Conservancy, the California State Division of the Isaac Walton League of America, the Southern Council of Conservation Clubs, many area chapters of the Audubon Society, the Southern California Section of the Society of American Foresters, many local councils of the Boy Scouts of America, the Desomount Club, the National Parks Association, the California Council of Landscape Architects, as well as many other fine conservation, garden, and riding clubs.

Mr. President, I am honored to propose this fine addition to our ever-growing wilderness preservation system. As I said when I introduced S. 889:

The preservation of significant areas of land in our country in their natural state is mandatory. These areas provide present and future generations examples of the workings of nature unimpeded by human invasion. The areas are just as they would be if man had never come upon the earth. As the availability of such areas is reduced by the advance of man, the value of retaining them is amplified.

I today echo my belief in those words, and encourage my colleagues to join me in urging the rapid consideration and passage of this most worthy measure.

I ask that the bill be appropriately referred.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2531) to designate the San Gabriel Wilderness, Angeles National Forest, in the State of California, introduced by Mr. KUCHEL, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 399

Mr. McGOVERN. Mr. President, I submit for appropriate reference, an amendment to H.R. 12080, the social security amendments of 1967 presently under consideration by the Committee on Finance.

The amendment would completely remove the limitation on outside earnings that is presently imposed by provisions in the law requiring deductions in social security benefits paid to people who earn more than \$125 per month or \$1,500 per

year. Its effect would be identical to that of S. 1894 which I have introduced as a separate measure.

H.R. 12080 does contain a liberalization of the retirement test. The amount of exempt wages and salary earnings would be increased from \$1,500 to \$1,680 and the monthly limitation would rise to \$140 under section 107 of the bill. From that point a beneficiary would lose \$1 in benefits for every \$2 earned. At earnings of \$2,880 the loss would be dollar for dollar, a consequence which occurs now when wages or salaries exceed \$2,700.

I am convinced, however, that the time has come to do away entirely with this unconscionable discrimination against people whose only sources of income after the age of 65 are social security benefits and their own labor.

It is clear that the \$984 annual benefit received by the average single social security recipient in mid-1966, or the \$1,728 received by the average couple, fell far below an adequate standard of living. The increases under consideration now, if approved, would be helpful but would still not approach a decent income level. The need for many to rely on social security alone would still, as at present, account for a high incidence of poverty among older Americans—for the fact that while people over 65 make up only 9 percent of our population, they include 16 percent of all of our impoverished citizens.

Many do not, of course, rely on social security without supplementation. Some have stocks and bonds, rental property, or other investment income. Under the law, happily, these returns can be collected without interference with program benefits. Those who have investment income—of any amount, even millions—receive the full benefit to which they would otherwise be entitled.

But the law takes a strange twist when it comes to the some 750,000 people who depend on their own labor for extra income over and above meager social security. For every dollar they earn in excess of \$1,500 their benefits are cut by 50 cents. For what they earn in excess of \$2,700 there is a dollar-for-dollar loss.

What this means, in effect, is that for a couple receiving the average mid-1966 benefit, the law imposes a lid of \$3,228 on the total income that can be received without penalty. If the working member earned \$2,700 on his own, his social security benefits would be docked by \$600, leaving a net income of only \$3,820. If he earned \$3,828 in wages or salary he would lose all of his social security benefits and his net income would be only \$8 more than if he earned \$2,700. At that point, additional wage income would no longer be harmful because he would have lost all of his social security.

The figures alone indicate the inequity of the present system and its unjust discrimination against wage earners in favor of those who have money to invest. The level of the earnings limitation, both at present and under section 107 of S. 12080, also clearly illustrates the penalty we are placing on numerous older Americans because of their efforts to provide themselves with a decent living.

It is significant, too, that families in these circumstances had no special deductions made in their social security taxes before they reached 65—they paid according to the same schedule as those who have investment income. The fact that they do not, for whatever reason, have savings, rental property, stocks or bonds at retirement age—putting them at a disadvantage in itself—worsens their circumstances even further by reducing payments that they have invested full premiums to receive.

The law clearly ignores the fact that social security is earned insurance for retirement income, not welfare. It should be changed to account for revisions in the cost of living, the economic realities of retirement, and the capacity and desire of many older people to continue earning past 65.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 399) was referred to the Committee on Finance.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Georgia [Mr. TALMADGE], I ask unanimous consent that, at its next printing, the name of the junior Senator from South Carolina [Mr. HOLLINGS] be added as a cosponsor of the bill (S. 2494) to amend the Land and Water Conservation Fund Act of 1965 to prohibit the charging of certain fees thereunder.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Rhode Island [Mr. PELL] be added as a cosponsor of the concurrent resolution (S. Con. Res. 47) relative to the establishment of a United Nations peacekeeping force.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GORE:

Address entitled "Horizons in Science and Technology," delivered by Senator HOWARD H. BAKER, JR., of Tennessee, before Middle East Institute's annual meeting at Georgetown University, Friday, September 29, 1967.

SUBSIDIZING SLUMS

Mr. SPARKMAN. Mr. President, in 1964, the Committee on Banking and Currency amended the Housing Act of 1949, requiring cities assisted by Federal programs to maintain an adequate program of local code enforcement. Many of our programs to assist cities can be rendered ineffective if local communities do not enforce their housing codes. Thus, it is national policy, as indicated in the

1964 Housing Act, to encourage local code enforcement.

In view of this national policy, it seems appropriate that our Internal Revenue Code should operate to achieve the same objective. The Senator from Wisconsin [Mr. PROXMIRE] has suggested the Code be amended to require that property owners who apply for depreciation deductions on their Federal income tax must certify that the property is being maintained in accordance with local code enforcement standards. This is one way of getting at the problem of slums without costing the Federal Government any money. It would encourage owners to maintain their property in order to obtain the benefit of depreciation deductions. Mr. President, recently, the Milwaukee Journal and station WITI published editorials with respect to Senator PROXMIRE's proposal.

I ask unanimous consent that these editorials be published in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Milwaukee (Wis.) Journal, Sept. 20, 1967]

GETTING AT THE SLUMLORD

There is no good reason why a slumlord should be able to profit additionally under the income tax law on property that violates other laws imposing minimum standards of structural upkeep and sanitation. He can so profit now, and does, by taking his tax deductions for depreciation no matter how many violation notices and court orders may be pending against the property.

Sen. Proxmire (D-Wis.) has proposed a simple correction. He would disallow depreciation claims not accompanied by owners' certification that the property meets all housing standards required under urban renewal laws. False certificates would be subject to prosecution for perjury as well as disallowance of the deductions.

An owner of substandard rental housing would thus have to pay not only a token fine now and then, as a minor business expense, but also a substantially higher income tax if he still didn't want to fix up the property. The inducement should be to put the money into needed maintenance instead of taxes, and then get it back by taking the depreciation fairly enough.

Proxmire's appropriately chosen vehicle for this amendment to the income tax law is the housing tax incentive bill of Sen. Robert Kennedy (D-N.Y.), which seeks to induce more private construction of low rent housing. Both its obvious equity and its practical usefulness at no cost to the government ought to sell it to congress.

[Telecast on WITI-TV (Milwaukee, Wis.) Oct. 5, 1967]

SENATOR PROXMIRE'S PLAN TO ELIMINATE TAX LOOPHOLE AND ENCOURAGE BETTER HOUSING SHOULD BE APPROVED

Is it possible that the federal government . . . on the one hand . . . is spending billions of dollars on urban renewal . . . while, on the other hand, is actually encouraging the continuance of slum neighborhoods? It appears that's what's happening.

Because of our present tax laws . . . slum landlords can make bigger profits . . . on sub-standard housing. Why should the landlord improve his property when improvements would cut down on the amount of depreciation . . . for tax purposes . . . faster than the building reaches a condition of complete uselessness. So, the buildings are purchased . . . rented . . . and depreciated by the landlord. After a few years

of making a healthy profit . . . he sells the property to another absentee landlord . . . and the depreciation tax write-off starts all over again.

Such investors make out far better on their taxes than a homeowner. After all, a homeowner cannot depreciate his home on his tax form. The homeowner is permitted a loss only if he suffers a loss in re-sale.

Senator William Proxmire wants to put a stop to the tax loophole enjoyed by the slum landlord . . . and, at the same time, encourage that landlord to improve his property.

Proxmire has proposed that no depreciation be permitted on those buildings which do not meet city housing codes. It's a good plan. This could quickly bring the guilty absentee landlords into line. We don't mean to imply that all absentee landlords permit their property to become run down . . . but, apparently, there are enough profiteers around to make Proxmire's plan worthwhile. Depreciation should always be considered when calculating profit. However, that depreciation should be realistic. TV6 hopes Proxmire's plan will be given serious consideration. It could encourage better housing . . . and, at the same time, eliminate a tax loophole.

THOMPSONVILLE, CONN.

Mr. RIBICOFF. Mr. President, the story I have to tell today is the story of Thompsonville, Conn.

It is the story of a small town facing potential trouble.

Thompsonville, like many towns in America, depends a lot on a basic industry. In this case, that industry is the Bigelow-Sanford Manufacturing plant with 800 employees. It makes Wilton and velvet carpets.

The Wilton and velvet carpet industry is a declining industry.

An escape-clause investigation by the Tariff Commission in 1961 found that the Wilton and velvet carpet industry was suffering serious injury as a result of increased imports. Imports rose from 4.6 million yards a year in 1956-58 to 7 million in 1959 and 812 million in 1960, when they accounted for 25.9 percent of U.S. production. Domestic production declined by 15 percent between 1957 and 1960 and employment dropped by more than 25 percent.

Consequently, President John F. Kennedy ordered an increase in the tariff from 21 to 40 percent, effective June 17, 1962.

As a result of the increase in duty, imports declined sharply, to an average of half a million yards a year in 1965-66. Imports accounted for 2 to 2½ percent of domestic production in this period.

The protection afforded by a higher tariff saved the industry from extinction. But a reduction in the domestic market for Wiltons and velvets caused further contraction in the industry. Production declined by 26 percent between 1960 and 1966 and employment fell by 38 percent. The number of plants in the United States producing Wiltons or velvets dropped from 35 to 24.

The total number of production and related workers employed in plants producing Wiltons or velvets declined from 12,500 in 1960 to 9,000 in 1967. The number engaged in Wilton or velvet production fell from about 7,500 to less than 5,000.

In 1960, the domestic market consumed 40 million yards of Wilton and velvet carpet. With imports at 8 million yards, the U.S. industry produced 32 million yards.

In 1965-66, the market was only 24 million yards, with one-half a million absorbed by imports and 23½ million served by U.S. production.

If the tariff were to return to the 1960 rate of 21 percent and imports rebounded to the 8-million-yard level, it would leave some 16 million yards of domestic products. This would be a one-third cut in the 1965-66 production rate. Such a cut would make it uneconomic for most U.S. producers to operate. It would wipe out the domestic Wilton and velvet industry.

And now, the time has run out and the problem was whether President Johnson would increase the tariff from 21 percent to 40 percent. Under the law, the tariff would today, October 11, revert back to 21 percent unless extended by the President. Many of us were deeply concerned with respect to the impact on so many States the tariff declined.

To most people in this country there would be little to note. Even in Belgium, the major source of U.S. imports, there would be little to note, since the production of Wilton and velvet carpets has increased by nearly 50 percent since 1961.

But in Thompsonville, the result would be disastrous.

It is easy to say, "Let the workers make something else." But the average age of the worker in the Thompsonville plant is 55. And his roots are in the town. His skills are in the plant. Clearly, if this plant closes down, he is out of work for good. And what of the others in the town—the grocery store and the drugstore—the barbershop and the shoemaker? So the town came to me and I, together with other Senators and Representatives, went to the President.

On Sunday last, the White House called and said, "Come back to Washington for a Monday morning appointment"—2 days before the deadline.

So we went and we talked—and the President listened.

He listened closely—with his heart—and with his head.

We already have an unemployment problem in this country, and if the tariff is cut we will throw people out of work.

We already have a welfare problem, and a tariff cut would put people out of work who want to work.

We are concerned about job discrimination against older workers—and a tariff cut would close down an industry in which the age of the average worker is 55.

We are concerned about job training programs—a tariff cut would destroy jobs for which people are already trained.

Mr. President, I want my colleagues to know that the President listened.

And today, he has acted.

He has acted on behalf of Thompsonville, Conn., and the other Thompsonvilles in this broad land of ours.

And there are many other Thompsonvilles in identical circumstances—Saxonville, Mass.; Amsterdam, N.Y.; Little Falls and Hightstown, N.J.; Bloomsburg and Carlisle, Pa.; Glasgow, Va.; Aberdeen

and Robbinsville, N.C.; and Landrum and Liberty, S.C.

I am grateful that today the President has extended the escape clause action on behalf of the Wilton and velvet carpet workers to January 1, 1970.

I want to express on this floor today, on behalf of the people of Thompsonville and the State of Connecticut, their heartfelt appreciation for the concern and action taken by the President of the United States on their behalf.

I know I also speak for those in the other towns affected and the other Senators and Congressmen who have joined me in expressing their concern. I am particularly grateful for the efforts, help, and encouragement of the Senator from Mississippi [Mr. STENNIS], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. TALMADGE], and my colleague from Connecticut [Mr. DODD], all of whom have a long and distinguished record of deep concern for the people of their State and their country—as well as the 50 other Senators who joined in writing to the President.

The assistance of Congressman STRATTON, of New York, and others in the other body was also particularly helpful.

But again, Mr. President, I wish to express my deep appreciation to the man who had the power and the responsibility and who used it wisely and with heart—the President of the United States.

UNEMPLOYMENT JUMP TO 4.1 PERCENT PROBABLY TEMPORARY, BUT INDICATES NO ECONOMIC BASIS FOR TAX HIKE

Mr. PROXMIRE. Mr. President, all economic statistics, and especially unemployment statistics, must be considered with caution. The unemployment statistics that have just been disclosed are no exception.

But the big, blunt fact is that they do show a rise in unemployment to 4.1 percent, the sharpest rise in 5 years.

No Senator who is considering the wisdom of voting for a tax increase can ignore this rise. How can a Senator say that the economy is so explosively inflationary—the labor supply so tight—that we desperately need a tax increase to dampen demand and hold back the surging forces of inflation? How can they say this in light of what the cold statistical facts of life tell us?

Now it is true that the statistics must be treated with caution. It is true that the principal reason unemployment climbed last month was because of the extraordinary influx of women into the work force. It is true that the unemployment rate for adult males fell slightly from 2.4 percent to 2.3 percent.

It is also true that the big Ford Motor Co. strike indirectly contributed to the unemployment figure, although the strikers themselves are not counted as unemployed. And it is true that a quirk in the way unemployment has been computed since January 1, 1967, may have had a significant seasonal effect in raising the statistics for September.

Mr. President, there are three points to be made about this big jump in unem-

ployment in relation to the proposed tax increase.

First. It is clear that in the third month of fiscal 1968—September 1967—the fiscal year during which the mammoth Federal deficit was expected to be so inflationary—there has been no stringent demand in the labor market that would justify the tax increase on grounds that the economy needs it to fight inflation.

Second. It is evident that the economy is now drifting along far below the rate of growth the Republican and Democratic members of the Joint Economic Committee set as our target for this year of 3½ percent unemployment. An important element in the failure of our economy to grow adequately this year is the fact that far too many Americans are unemployed and idle. They are not producing in our economy. A tax increase would make that situation worse, not better.

Third. The basic employment situation is, as Commissioner Ross properly says, strong. The relatively high 4.1-percent rate may well be temporary. It will, in all likelihood, diminish somewhat in coming months without a tax increase. I repeat—without a tax increase. But that diminution in unemployment could be fairly substantial without putting any undue demand pressure on the economy; that is, without inflationary pressures. And that drop in unemployment would be wholesome for the growth of our economy, and very important in the human terms of putting Americans who are now idle and, in most cases, suffering inadequate incomes, to work.

But, Mr. President, Senators should realize that with a tax increase the economy may well stagnate and fail to grow. We could have the worst of all possible worlds—a war, rising prices—caused not by excessive demand, because both too much manpower and too many plant facilities would be idle, but caused by a rising costs including the costs of increased taxes—too high unemployment, poor business conditions, and, on top of everything, increased taxes.

The announcement by the Bureau of Labor Statistics that unemployment jumped more sharply last month than in the past 5 years, and now is at 4.1 percent, should make all Members of Congress skeptical about the proposed tax increase.

I ask unanimous consent to have printed in the RECORD at this point an analysis of the increase in unemployment by the staff of the Joint Economic Committee, an additional analysis by the Bureau of Labor Statistics of the Department of Labor, and selected tables compiled by the Bureau of Labor Statistics showing last month's employment and unemployment by certain categories.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ANALYSIS BY STAFF OF JOINT ECONOMIC COMMITTEE UNEMPLOYMENT

The seasonally adjusted unemployment rate in September rose to 4.1 percent, up from 3.8 percent in August. This is almost entirely accounted for by a rise in the unemployment rate for women from 3.9 to

4.9 percent. The rate for adult males fell slightly to 2.3 percent from 2.4 percent, and in the case of teenagers, rose from 13.7 to 13.8 percent.

The increase in the female unemployment rate (seasonally adjusted) should be interpreted with caution since a change in the definition of unemployment was introduced in January 1967. Part of the increase in the seasonally adjusted rate may have been due to an incomplete development of the seasonal adjustment factor stemming from a lack of experience with the new definition.

LABOR FORCE

The female labor force, which is responsive to opportunities in the job market, rose by nearly 1.0 million from August to September—500,000 more than the usual increase. Although female employment also rose strongly, the increase was not sufficient to balance the large influx of women into the labor force.

EMPLOYMENT

From August to September, total employment decreased 100,000 (S.A.). Farm employment fell 300,000. Nonagricultural employment rose 200,000.

Nonfarm payrolls increased by 275,000 between August and September, even though 235,000 more persons were on strike than in August. On a seasonally adjusted basis, payroll employment fell about 100,000.

BUSINESS CONDITIONS

Mr. Ross characterized business conditions as reflecting a "moderate sustained expansion." Employment has expanded significantly since May, after a period of stagnation, or moderate decline after November 1966.

EFFECT OF STRIKES

A striking worker is counted among the employed. He is not included in the figure for payrolls. Secondary effects of strikes may cause unemployment, however. As of September 15, Mr. Ross estimates that the Ford strike had resulted in secondary unemployment of 10,000.

THE EMPLOYMENT SITUATION: SEPTEMBER 1967

Employment remained strong in September, the U.S. Department of Labor's Bureau of Labor Statistics reported today. However, an unusually large increase in adult women in the labor force raised the total unemployment rate to 4.1 percent, up from 3.8 percent in August.¹ The jobless rates for adult men and teenagers were unchanged over the month.

¹ A January 1967 change in the unemployment definition may have affected the seasonal pattern of adult female unemployment between August and September—a time when many women enter the labor force to look for work as their children enter school. The new definitions include persons seeking work in the previous 4 weeks; under the old definitions, only those looking for jobs in the week before the survey were counted.

Nonfarm payroll employment increased by 275,000 between August and September, even though there was a substantial rise in the number of persons off payrolls because of strikes. About 235,000 more persons were on strike in September than in August, mainly because of the Ford strike and disputes between teachers and school boards in several cities. Although strikers are considered to be employed in the household survey, they are not on active payrolls and are therefore not counted in the payroll employment statistics. For this reason, seasonally adjusted payroll employment declined by about 100,000; it would have risen more than 100,000 except for the increase in strike activity.

The number of adult women in the labor force rose by nearly 1.0 million between August and September—500,000 more than the usual increase. The employment of women also moved up strongly, but not enough to equal the substantial labor force jump. As a result, the number of unemployed women increased by about 250,000 and their jobless rate rose from 3.9 to 4.9 percent.

In contrast, the September unemployment rates for all adult men and married men, 2.3 and 1.8 percent respectively, remained near their record lows. The teenage rate (13.8 percent) was virtually unchanged from the August level. The unemployment rate for nonwhite men moved down to 3.5 percent, the lowest rate since the series began in 1954 and below the rate for all workers for the first time.

TOTAL EMPLOYMENT

Over the month, total employment declined by about 100,000 (seasonally adjusted) because of a sharp drop (300,000) in agricultural employment. Cool and wet weather over much of the country this summer delayed fall harvesting and seeding activity.

Employment in nonagricultural industries showed a seasonally adjusted increase of about 200,000 in September. (In this series, persons on strike are counted as employed.) A substantial increase in nonfarm employment among adult women more than offset a decline for teenagers.

At 74.6 million in September, total employment was up 1.4 million from a year earlier. Agricultural employment continued its long-term downturn—falling by 250,000 over the year. Employment in the nonagricultural sector rose by 1,650,000 from the September 1966 level.

INDUSTRY EMPLOYMENT

Seasonally adjusted, nonfarm payroll employment was 66.1 million in September, down 100,000 from August. The largest declines occurred in manufacturing, transportation and public utilities, and State and local government, all of which were affected by strikes. The number of secondary layoffs was relatively small (less than 10,000), since the survey week was the first full week of the Ford strike. Most of the layoffs were in "feeder" plants which supply metal parts to the automobile industry.

After seasonal adjustment, manufacturing employment was down by 180,000 over the

month, with 160,000 of the decline occurring in the durable goods industries. Nearly all of this decline is attributable to the automobile strike, not only in the automobile industry itself but also in struck plants in the primary metals, fabricated metals, and electrical equipment industries.

Insured unemployment under State programs declined to 890,000 in mid-September. The insured rate was 2.4 percent (seasonally adjusted), compared with 2.7 percent in August and 2.2 percent in September 1966. Secondary layoffs from the Ford strikes were low in mid-September and have remained moderate thus far. The return to work of persons laid off during the automobile model change-over more than made up for any secondary layoffs because of the strike.

Most of the service-producing industries continued to show larger-than-seasonal employment pickups. Trade employment rose by 30,000 over the month, and miscellaneous services had an increase of 45,000. State and local government (the most rapidly growing sector for many years) declined in September because of several labor disputes involving public school systems.

HOURS AND EARNINGS

In September, the average hourly earnings of rank and file employees on private nonfarm payrolls were \$2.70—up 10 cents, or 3.8 percent, from September 1966. The workweek averaged 38.3 hours, down 0.5 hour from the September 1966 level.

The average weekly hours of manufacturing production workers were unchanged from August at 40.7 hours (seasonally adjusted). Over the year, the factory workweek was down 0.7 hour; declines occurred in 17 of the 21 manufacturing industries.

UNEMPLOYMENT

Unemployment, at 2.9 million, did not show the usual August-to-September drop this year because of the large increase (250,000) in the number of unemployed adult women. After seasonal adjustment, unemployment was up 200,000 from the previous month. The total unemployment rate, at 4.1 percent, was up from 3.8 percent in August and was at its highest point since November 1965.

The over-the-month increase in the unemployment of adult women was widespread among the various occupations and industries. All of the increase occurred in the short-term jobless group (less than 5 weeks). Unemployment rates moved up for persons whose last jobs had been in the clerical, sales, service, and operative occupations—where female employment is substantial. Similarly, the unemployment rates in trade and in finance and services increased over the month. The unemployment rate in agriculture rose sharply in September, while farm employment declined.

The nonwhite unemployment rate, which had dropped to about 7.0 percent in July and August, moved back up to 7.9 percent in September. The increase was primarily attributable to a substantial rise in the rate for nonwhite women.

TABLE A-1—EMPLOYMENT STATUS OF THE NONINSTITUTIONAL POPULATION BY AGE AND SEX

[In thousands]

Employment status, age, and sex	September 1967	August 1967	September 1966	September 1967	Seasonally adjusted			
					August 1967	July 1967	June 1967	May 1967
TOTAL								
Total labor force.....	80,982	82,571	78,982	81,259	81,160	80,954	80,681	79,645
Civilian labor force.....	77,526	79,112	75,753	77,803	77,701	77,505	77,237	76,189
Employed.....	74,631	76,170	73,248	74,625	74,718	74,489	74,147	73,289
Agriculture.....	3,931	4,378	4,186	3,676	3,992	3,856	3,727	3,652
Nonagricultural industries.....	70,700	71,792	69,063	70,949	70,726	70,633	70,420	69,637
On part time for economic reasons.....	1,883	2,175	1,564	1,977	1,855	2,011	1,939	1,539
Usually work full time.....	1,073	1,012	841	1,081	992	1,058	1,072	910
Usually work part time.....	810	1,163	723	896	863	953	867	629
Unemployed.....	2,895	2,942	2,505	3,178	2,983	3,016	3,090	2,900

TABLE A-1—EMPLOYMENT STATUS OF THE NONINSTITUTIONAL POPULATION BY AGE AND SEX—Continued

[In thousands]								
Employment status, age, and sex	September 1967	August 1967	September 1966	Seasonally adjusted				
				September 1967	August 1967	July 1967	June 1967	May 1967
MEN, 20 YEARS AND OVER								
Civilian labor force.....	45,600	45,955	44,851	45,476	45,559	45,433	45,314	45,021
Employed.....	44,761	44,969	43,980	44,435	44,479	44,338	44,156	43,922
Agriculture.....	2,924	2,909	2,996	2,806	2,835	2,791	2,726	2,753
Nonagricultural industries.....	41,837	42,060	40,984	41,629	41,644	41,547	41,430	41,169
Unemployed.....	839	986	871	1,041	1,080	1,095	1,158	1,099
WOMEN, 20 YEARS AND OVER								
Civilian labor force.....	25,903	24,948	24,829	26,051	25,557	25,516	25,177	24,730
Employed.....	24,615	23,892	23,873	24,781	24,558	24,421	24,094	23,773
Agriculture.....	638	802	803	512	705	624	581	537
Nonagricultural industries.....	23,978	23,090	23,069	24,269	23,853	23,797	23,513	23,236
Unemployed.....	1,287	1,055	956	1,270	999	1,095	1,083	957
BOTH SEXES, 16 TO 19 YEARS								
Civilian labor force.....	6,024	8,209	6,072	6,276	6,585	6,556	6,746	6,438
Employed.....	5,254	7,309	5,396	5,409	5,681	5,730	5,897	5,594
Agriculture.....	369	667	386	358	452	441	420	362
Nonagricultural industries.....	4,886	6,641	5,009	5,051	5,229	5,289	5,477	5,232
Unemployed.....	769	900	676	867	904	826	849	844

TABLE A-2.—UNEMPLOYED PERSONS 16 YEARS AND OVER BY DURATION OF UNEMPLOYMENT

Duration of unemployment	September 1967	August 1967	September 1966	Seasonally adjusted				
				September 1967	August 1967	July 1967	June 1967	May 1967
Less than 5 weeks.....	1,810	1,537	1,487	1,889	1,660	1,805	1,649	1,371
5 to 14 weeks.....	715	1,037	613	945	946	876	919	877
15 weeks and over.....	370	367	405	437	441	435	444	414
15 to 26 weeks.....	226	166	226	278	231	265	298	271
27 weeks and over.....	144	201	179	159	210	170	146	143

TABLE A-3.—MAJOR UNEMPLOYMENT INDICATORS (PERSONS 16 YEARS AND OVER)

Selected categories	Thousand of persons unemployed		Seasonally adjusted rates of unemployment					
	September 1967	September 1966	September 1967	August 1967	July 1967	June 1967	May 1967	September 1966
Total (all civilian workers).....	2,895	2,505	4.1	3.8	3.9	4.0	3.8	3.7
Men, 20 years and over.....	839	871	2.3	2.4	2.4	2.6	2.4	2.4
Women, 20 years and over.....	1,287	956	4.9	3.9	4.3	4.3	3.9	3.8
Both sexes, 16 to 19 years.....	769	676	13.8	13.7	12.6	12.6	13.1	12.9
White.....	2,269	1,954	3.6	3.5	3.5	3.5	3.3	3.2
Nonwhite.....	626	550	7.9	6.9	7.2	7.8	7.8	7.2
Married men.....	526	542	1.8	2.0	1.8	2.0	1.9	1.9
Full-time workers.....	2,086	1,908	3.8	3.6	3.6	3.9	3.5	3.4
Unemployed 15 weeks and over.....	370	405	.6	.6	.6	.6	.5	.6
State insured ¹	891	756	2.4	2.7	2.8	2.6	2.7	2.2
Labor force time lost ²			4.6	4.3	4.3	4.5	3.8	4.2
OCCUPATION								
White-collar workers.....	920	795	2.5	2.2	2.2	2.2	1.9	2.3
Professional and managerial.....	239	256	1.3	1.1	1.2	1.2	1.3	1.4
Clerical workers.....	495	407	3.7	3.4	3.2	3.2	2.5	3.2
Sales workers.....	186	132	4.1	3.2	3.7	3.8	2.5	3.0
Blue-collar workers.....	1,067	918	4.6	4.4	4.7	4.7	4.6	4.1
Craftsmen and foremen.....	157	179	2.2	2.4	2.3	2.8	2.8	2.5
Operatives.....	673	513	5.4	4.8	5.4	5.1	4.9	4.2
Nonfarm laborers.....	237	226	8.1	7.8	8.0	7.8	8.3	7.7
Service workers.....	373	387	5.1	4.1	4.5	4.3	4.1	4.4
INDUSTRY								
Private wage and salary workers ³	2,208	1,795	4.2	3.9	4.1	4.0	3.9	3.8
Construction.....	122	190	5.4	7.1	7.6	8.6	7.8	8.5
Manufacturing.....	739	576	4.1	3.8	4.0	3.9	3.9	3.2
Durable goods.....	389	290	3.7	3.4	4.1	3.6	3.8	2.9
Nondurable goods.....	350	285	4.5	4.5	4.0	4.3	4.0	3.7
Transportation and public utilities.....	93	74	2.4	2.6	2.4	2.9	2.7	2.0
Wholesale and retail trade.....	559	467	5.1	4.2	4.4	4.1	3.6	4.5
Finance and service industries.....	583	469	4.0	3.5	3.5	3.3	3.5	3.4
Government wage and salary workers.....	249	247	2.1	1.5	1.7	2.1	1.7	2.3
Agricultural wage and salary workers.....	98	58	11.1	7.1	7.2	7.8	6.3	6.2

¹ Insured unemployment under State programs as a percent of average covered employment.² Man-hours lost by the unemployed and persons on part time for economic reasons as a percent of potentially available labor force man-hours.³ Includes mining, not shown separately.

TABLE A-4.—FULL- AND PART-TIME STATUS OF THE CIVILIAN LABOR FORCE, SEPTEMBER 1967

[Thousands of persons]

Full- and part-time employment status	Total	Men, 20 and over	Women, 20 and over	Both sexes, 16 to 19 years
FULL TIME				
Civilian labor force.....	67,950	43,845	20,799	3,306
Employed:				
Full-time schedules.....	63,747	42,154	18,939	2,653
Part time for economic reasons.....	2,117	932	913	272
Unemployed, looking for full-time work.....	2,086	759	947	381
Unemployment rate.....	3.1	1.7	4.6	11.5
PART TIME				
Civilian labor force.....	9,576	1,755	5,103	2,718
Employed (voluntary part time).....	8,767	1,675	4,763	2,330
Unemployed, looking for part-time work.....	809	80	341	388
Unemployment rate.....	8.4	4.6	6.7	14.3

TABLE A-5.—EMPLOYED PERSONS BY AGE AND SEX

[In thousands]

Age and sex	September 1967	August 1967	September 1966	Seasonally adjusted				
				September 1967	August 1967	July 1967	June 1967	May 1967
Total, 16 years and over.....	74,631	76,170	73,248	74,625	74,718	74,489	74,147	73,289
16 to 19 years.....	5,254	7,309	5,396	5,409	5,681	5,730	5,897	5,594
16 and 17 years.....	2,113	3,214	2,100	2,246	2,341	2,322	2,363	2,201
18 and 19 years.....	3,141	4,095	3,296	3,148	3,331	3,402	3,491	3,358
20 to 24 years.....	8,491	8,967	7,899	8,522	8,612	8,604	8,571	8,420
25 years and over.....	60,885	59,894	59,954	60,724	60,393	60,128	59,678	59,300
25 to 54 years.....	47,090	46,385	46,439	46,768	46,709	46,471	46,062	46,044
55 years and over.....	13,795	13,509	13,514	13,698	13,632	13,563	13,627	13,244
Males, 16 years and over.....	47,705	49,233	46,991	47,479	47,555	47,555	47,448	47,050
16 to 19 years.....	2,944	4,264	3,012	3,044	3,233	3,217	3,292	3,128
16 and 17 years.....	1,291	1,989	1,234	1,409	1,436	1,399	1,403	1,324
18 and 19 years.....	1,653	2,275	1,778	1,653	1,786	1,810	1,856	1,766
20 to 24 years.....	4,861	5,238	4,580	4,849	4,891	4,856	4,881	4,750
25 years and over.....	39,900	39,731	39,400	39,589	39,566	39,468	39,266	39,177
25 to 54 years.....	30,905	30,811	30,554	30,648	30,638	30,584	30,424	30,402
55 years and over.....	8,996	8,920	8,845	8,898	8,889	8,860	8,870	8,738
Females, 16 years and over.....	26,925	26,937	26,256	27,146	27,006	26,934	26,669	26,239
16 to 19 years.....	2,310	3,045	2,384	2,365	2,448	2,513	2,605	2,466
16 and 17 years.....	822	1,225	866	837	905	923	960	877
18 and 19 years.....	1,488	1,820	1,518	1,495	1,545	1,592	1,635	1,592
20 to 24 years.....	3,630	3,730	3,319	3,673	3,721	3,748	3,690	3,670
25 years and over.....	20,985	20,162	20,554	21,135	20,827	20,660	20,412	20,123
25 to 54 years.....	16,186	15,574	15,885	16,120	16,071	15,887	15,638	15,642
55 years and over.....	4,800	4,588	4,669	4,800	4,743	4,703	4,757	4,506

Note: Due to the independent seasonal adjustment of several of the series, detail will not necessarily add to totals.

TABLE A-6.—UNEMPLOYED PERSONS BY AGE AND SEX

Age and sex	Thousands		Percent looking for full-time work September 1967	Seasonally adjusted unemployment rates				
	September 1967	August 1967		September 1967	August 1967	July 1967	June 1967	May 1967
Total, 16 years and over.....	2,895	2,942	72.1	4.1	3.8	3.9	4.0	3.7
16 to 19 years.....	769	900	49.5	13.8	13.7	12.6	12.6	13.1
16 and 17 years.....	345	408	24.3	15.6	15.3	14.4	14.0	13.7
18 and 19 years.....	424	492	70.0	12.6	12.7	11.4	11.3	12.8
20 to 24 years.....	569	513	79.4	6.6	5.5	6.2	5.8	5.2
25 years and over.....	1,557	1,529	80.5	2.7	2.5	2.6	2.8	2.6
25 to 54 years.....	1,267	1,199	81.5	2.8	2.6	2.7	2.9	2.7
55 years and over.....	290	330	76.2	2.3	2.5	2.3	2.3	2.7
Males, 16 years and over.....	1,214	1,441	76.8	3.0	3.1	3.1	3.3	3.2
16 to 19 years.....	375	455	46.4	12.4	12.4	11.6	12.3	12.9
16 and 17 years.....	188	243	27.7	13.2	13.3	14.5	14.2	14.5
18 and 19 years.....	187	212	65.2	11.4	10.2	9.2	10.3	11.8
20 to 24 years.....	206	244	78.6	4.9	5.0	5.0	5.1	4.9
25 years and over.....	633	742	94.3	1.9	2.0	2.1	2.2	2.1
25 to 54 years.....	481	538	96.5	1.9	2.0	2.0	2.1	2.0
55 years and over.....	152	204	86.8	2.0	2.4	2.3	2.5	2.8
Females, 16 years and over.....	1,681	1,501	68.6	5.9	5.1	5.3	5.2	4.8
16 to 19 years.....	394	446	52.5	15.6	15.4	13.8	13.0	13.4
16 and 17 years.....	157	166	20.4	19.3	15.4	14.3	13.8	12.4
18 and 19 years.....	237	280	73.8	13.8	15.4	13.8	12.4	13.8
20 to 24 years.....	363	268	79.9	8.8	6.1	7.6	6.8	5.5
25 years and over.....	924	787	71.1	4.1	3.5	3.7	3.9	3.4
25 to 54 years.....	787	662	72.2	4.5	3.7	4.1	4.5	4.0
55 years and over.....	137	125	65.7	2.9	2.7	2.2	1.7	2.6

CONGRESS SHOULD USE PPB TO CONTROL SPENDING

Mr. PROXMIER. Mr. President, the new techniques used in the planning-programming-budgeting system—PPBS—are making possible valuable advances in achieving efficient government. Recently the Economy in Government Subcommittee of the Joint Economic Committee held a 4-day hearing into the current

application and future potentials of PPBS.

An integral tool utilized in PPB systems is that of cost-benefit analysis, and within cost-benefit studies the most important factor is the discount rate employed in the analysis. On Monday I told the Senate that current use of an unrealistically low-discount rate for public works projects is causing major economic

dislocations. The advantage of PPBS methods is that alternative means to attain a specified goal are analyzed and evaluated. Congress should use these techniques and insist that alternative interest rates be used in determining spending requests for public works projects.

The executive branch already is widely using PPB systems. In the September

23 issue of Business Week a top official is quoted as saying PPBS will give the Presidency "a more effective management mechanism than it has ever had" and PPBS is termed "a revolution in government management." As the article shows, the agencies will be able to coordinate and allocate by "programmatically" methods.

According to one witness in the PPBS hearings, Congress really has no alternative but to develop PPB systems. At my request the Interior Department and the Department of Defense recalculated benefit-cost ratios on selected public works projects utilizing a series of different discount rates. These calculations showed that significant spending cuts should be made in many long-range public works projects.

Mr. President, Congress has the right to insist that the administration prepare cost-benefit studies with alternative discount rates. If such practices were done throughout the Government, it is probable that more optimal spending patterns would result. And most important, if the Congress develops these techniques we will have much more control over the budget.

I ask unanimous consent that the Business Week article entitled "A McNamara-Style Budget Bureau" be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

A McNAMARA-STYLE BUDGET BUREAU

(NOTE.—The Bureau of the Budget, LBJ's No. 1 watchdog, is being reshaped to coordinate federal programs and to tie in with government-wide systems analysis, cost effectiveness.)

When federal agency heads submit their fiscal 1969 spending plans for review next month, they will find that President Johnson's budget referee has changed its style.

The switch foreshadows a significant increase in the power of the White House to command and control the massive federal bureaucracy. It could lead to abandonment of some federal programs, to shifts in emphasis on others, and to new pressures for realignment of the federal government's structure.

The strategic Bureau of the Budget—which double-checks every agency's annual plans, kibitzes government management practices, coordinates Administration legislation, and performs a variety of extra chores for Johnson—is being reorganized along "programmatically" lines.

WINNOWNING

Instead of building the next federal budget on an agency-by-agency approach, the bureau intends to focus on broad program areas, spotlighting programs aimed at the same objectives and trimming out programs that duplicate or run at cross-purposes with one another.

The chief purpose of the reorganization is to cope with the growing interrelationship of independently run federal activities.

Hand in hand with the Budget Bureau reshaping goes the government-wide adoption of Pentagon-style "program budgeting," ordered by Johnson in 1965 and now beginning to take hold in civilian agencies.

The program budget, along with systems analysis and cost-effectiveness, are the tools that are widely credited with giving Defense Secretary Robert S. McNamara firmer control over the Pentagon than any of his predecessors. Its spread throughout the government, according to White House special assistant

Joseph A. Califano, Jr., will give the Presidency "a more effective management mechanism than it has ever had."

"A premise of our action," says one of the authors of the Budget Bureau reorganization, "is that there is no longer any way to organize programs to avoid 'bridging' problems. The organizational problems of today aren't box-drawing problems. It doesn't make any difference how you structure the government; unless you have a 'Department of Everything' you'll have coordination problems."

To provide better coordination, and to spot conflicts requiring top-level decision, Budget Director Charles L. Schultze last month gave the go-ahead for a profound reorganization of his bureau.

The main thrusts are a restructuring of the divisions that review each agency's budget plans, and the creation of an Office of Executive Management.

Six programs divisions emerged from the reorganization. But there will still be problems in meshing the gears of separate agencies. "They each have a statute that gives them a piece of the pie," notes a bureau official, "and it's supposed to end up in a fluffy-looking meringue."

The bureau has mapped out areas of predictable overlaps, however, and designated which division should take the lead in program areas such as scientific research or energy resources. The first test of how successfully the bureau can provide the bridges between programs will start when departmental fiscal 1969 budget plans begin arriving Oct. 1.

The Office of Executive Management will have broader assignments. Its bailiwick will include: analyzing government structure—and probably recommending agency realignments; helping agencies hone their management systems; overseeing government-wide projects, and coordinating operations with state and local programs.

REVIEW

It also will shoulder special projects, probably including a review of all government-contracting practices. The leading candidate to head the new office is Dwight A. Ink, currently Assistant Secretary of Housing and Urban Development.

Johnson's fiscal 1969 budget also is expected to get a new look from another direction.

A special Presidential commission on budget concepts has been at work since March trying to hammer out a new format for presenting the federal budget. This year, three different "budgets" were used to detail Administration plans and to provide information on the impact of government activities on the economy. The commission's task was to review the structure and presentation of the budget and recommend needed changes. It has been working toward a single Budget of the United States, and its report is just about ready for submission to the President. The commissions' recommendations are expected to be reflected in the budget that Johnson sends Congress next January.

President Johnson already has demonstrated a tendency to use the Budget Bureau as a prime tool of enforcing policy and bringing pressure against the inertia of entrenched federal programs. If the reorganization achieves its purposes, the Budget Bureau will become an even more effective arm of the White House.

Government-wide adherence to the technique of program budgeting and systems analysis, developed for the Pentagon by Rand Corp. in the 1950s and imposed by McNamara in 1961, will have even more impact.

In Washington, this system has been alphabetized with the four-letter designation "PPBS"—standing for "programming-planning-budgeting system."

From its proponents' point of view, the

most important effect of the approach is that it makes departmental chiefs exercise foresight. It forces them to plan ahead, to lay out goals five years or so in the future, and then to organize their current spending plans as coherent efforts to reach those goals. It also employs computer technology to analyze alternative approaches.

PROTOTYPE

Of course, private corporations have planned this way for years. In fact, E. I. du Pont de Nemours & Co. had planning and budgeting procedures based on similar techniques going strong in the 1920s.

William Gorham, Assistant Secretary of Health, Education and Welfare, reported to Senator William Proxmire's (D-Wis.) Economy in Government Subcommittee last week that the approach already has brought a basic shift in HEW's budget-building process.

Until this year, Gorham said, HEW's budget request was pieced together largely by just adding up the requests from each individual program chief. New legislation that might be in the planning stage was simply ignored.

LONG RANGE

Now, Gorham told Proxmire, HEW's programs are being considered in the framework of five-year objectives proposed by HEW's component agencies and reviewed and revised by the secretary.

PPBS will not be imposed without opposition. The system has foes in high places.

DOUBTER

"On a cost-effectiveness basis," Vice-Admiral Hyman G. Rickover scoffed in testimony before the House Defense Appropriations Subcommittee last year, "the colonists would not have revolted against King George III, nor would John Paul Jones have engaged the 'Serapis' with the 'Bonhomme Richard,' an inferior ship."

But Presidential aide Califano has called PPBS a "revolution in government management."

"What this process can do for a President," Califano says, "is inform his judgment and help assure that his decisions are based on facts, alternatives, and sound analysis. It can show a President how much he will get for what he spends today—and how much more, or less it will cost if he waits until tomorrow."

HOW BUDGET BUREAU SPLITS UP THE GOVERNMENT

National security programs: Defense Department military operations.

International programs: State Department, Agency for International Development, U.S. Information Agency, Ex-Im Bank, Central Intelligence Agency.

Natural resources programs: Defense Department civil operations, Agriculture, Interior, river basin commissions, Tennessee Valley Authority.

Human resources programs: Health, Education and Welfare, Housing and Urban Development, Office of Economic Opportunity, Labor, Veterans Administration.

Science, technology, and economic programs: Transportation, Commerce, regional commissions, regulatory agencies. Small Business Administration, National Science Foundation, National Aeronautics and Space Administration, Atomic Energy Commission.

General government management programs: Justice, Civil Service, Post Office, General Services Administration, Treasury, District of Columbia, certain government-wide services.

COLUMBUS DAY, 1967

Mr. CLARK. Mr. President, today our Nation honors Christopher Columbus. We honor Columbus not just for what he did, but for the kind of man he was—

a man who refused to accept the conventional wisdom that the world was flat, who turned his back on the defenders of the status quo, who said it could not be done. He was a man who had the courage and steadfastness to follow his vision to its realization.

The life of Christopher Columbus should be an inspiration to the youth of our country, particularly for those young people interested in going into politics and public service. His is the kind of spirit we need in government today, at all levels—Federal, State, and local.

Without the Columbus spirit, we would never have been able to pass the Immigration Reform Act of 1965 which abolished the invidious and discriminatory national origins clause. For years, a lonely minority in Congress—and I am proud to have been one of them—fought to wipe this insulting provision off the statute books. All of the inside dopesters said it would never be done. But we kept up the fight and in the end were victorious. And today all Americans benefit from that legislation. We have 20,000 friends coming to this country each year from Italy instead of one-fourth of that number.

I am also proud to be one of those in Congress who is fighting for national recognition of Columbus Day. And if the Congress finally gets moving on this resolution, people all over the country, not just in Pennsylvania and a few other enlightened States, will be able to take the day off on October 12 next year because it will be a national holiday.

PROGRESS IN NORTHEASTERN MINNESOTA

Mr. MONDALE. Mr. President, 5 years ago northeastern Minnesota, the Nation's major source of iron ore for more than half a century, was one of the most economically depressed and demoralized areas in the Nation. Today this section of my State is bustling with new vitality and economic activity. The main factor in this upswing is the tremendous investment—now exceeding \$1 billion—in taconite plant facilities. The expanding taconite industry not only provides many new jobs but has tended to stabilize the once-seasonal mining industry which has always dominated northeastern Minnesota's economy.

But along with the growth of the taconite industry, northeastern Minnesota has also pursued a second vital goal—industrial diversification. Among the vehicles for this important effort are the Federal Economic Development Administration, the State area redevelopment agency, and the Northeastern Minnesota Development Association—NEMDA—a broadly based, privately financed \$1 million industrial development corporation which was formed in May 1964 to help attract new industries to the region and to help expand the ones already there. One of NEMDA's directors, Mr. Arthur C. Barschdorf, of the Minnesota Power & Light Co., recently summed up northeastern Minnesota's progress in a speech to the Minnesota Associated Press Editors' meeting, in Duluth. Mr. Barsch-

dorf's statement provides an excellent example of what can be accomplished through a combination of Federal and State efforts and local cooperation, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF A. C. BARSCHDORF, TO MINNESOTA ASSOCIATED PRESS EDITORS MEETING, DULUTH AUDITORIUM, SEPTEMBER 9, 1967

You people are better informed than most groups I address on economic developments in northeastern Minnesota, because it is your business to be informed. And I suspect that you have heard enough of our wallings about our distressed economy and economic problems, that you have expected to find Duluth sliding slowly into Lake Superior. Surprisingly, I have found many persons in the Twin Cities and southern half of the state—whom I thought would know better—expecting to find here a rather depressed area dotted with closed stores and clusters of unemployed.

It's no wonder that this feeling still exists. We have spent so much time publicizing our problems and shortcomings, particularly during legislative sessions, that our pluses have been somewhat overlooked.

I am here tonight to talk about our pluses, about the good that is happening in our area; about perhaps the brightest future this area has ever had; about being an asset area and not a problem area of our state.

Outsiders generally think of this area as one dominated by mining with a fair amount of tourism and wood products, some shipping, and a lot of good water not being used.

Our basic industry is still mining, but it's a different breed. It's a more stable one, not subject to seasonal ups and downs, and with the great bulk of its jobs at higher skills and higher pay. Most important, it is a growing industry. Today's \$1 billion-plus investment in taconite plant facilities will grow to \$2 billion by 1975 and to \$2.6 billion by 1990. Employment by that year will top the highest figure—17,400 jobs—ever reached in Minnesota iron mining. These are not my projections, but those of Dr. Eugene Pfeider, the mining authority at the University of Minnesota, whose knowledge of the industry is well respected.

We had a \$400 million wave of taconite plant construction immediately following passage of the Taconite amendment. These projects—the Minntac plant of U.S. Steel Corporation at Mountain Iron; the Butler Taconite plant of The Hanna Mining Company, Inland Steel Company and Wheeling Steel Corporation at Nashwauk; the National Steel Pellet Plant of Hanna and National Steel Corporation at Keewatin; the Eveleth Taconite plant of Ford Motor Company and Oglebay Norton at Forbes; and expansion projects at Erie Mining Company and Reserve Mining Company, all in a relatively small geographic area—are just about finished.

Now most of these firms—and Jones & Laughlin Steel Corporation, which earlier announced a \$63 million taconite plant to be built near Biwabik—are poised for a second stage of construction. Hopefully, announcements of specific projects will be coming within the next few months.

All this taconite plant activity has spawned what we call satellite plants. Investment in facilities for explosives, oxygen, steel castings and bentonite alone has reached more than \$12 million, and created hundreds of new jobs, and these figures do not include numerous supply type firms which have grown up across the Range; nor the \$12 million put into new taconite transport facilities by the Great Northern and Duluth, Missabe & Iron Range railroads.

I realize much of this taconite story is old

to you by now, but I think it is well to review briefly these developments as a reminder of the tremendous impact they have had already and will play in the future.

Long range growth prospects are heightened by copper-nickel exploration underway by International Nickel Company, and other national firms which have taken leases on state and federal lands.

INCO—which currently is sinking a regular underground shaft in its exploratory phase—is expected to invest \$100 million in its initial plant near Ely. This project will create a mining operation employing 1000 to 1500 persons.

Other firms, such as Kennecott Copper, Phelps Dodge, Amax, U. S. Steel, Cleveland Cliffs, Duval, New Jersey Zinc and Newmont are watching INCO's progress very closely.

Copper-nickel developments—aided as was taconite by enlightened tax legislation—could become almost as big as taconite.

Wood products constitute our state's third largest industry with a value of products each year reaching \$500 million. Most of the plants are concentrated in northern Minnesota. In Cloquet alone 3,400 persons are employed in well paying jobs in four plants. It's a steadily growing industry which really has not done a good job of telling its story, and thus, perhaps, is not as much appreciated as it should be.

We are planning to change that situation somewhat this fall with the first Wood Fiber Symposium ever conducted in the Midwest to be held in Duluth October 11 followed by a field trip into the woods the next day. The industry itself is working with the University of Minnesota—and other interested firms, such as the company I work for—to develop a conference that will command the kind of world attention accorded annually to the Mining Symposium.

I hope you editors will find it worthwhile to give the wood fiber symposium coverage with reporters and photographers. I do know that you will be invited to attend.

I said the wood products industry in this area was a steadily growing one, and I document this statement with a figure of \$50 million invested in new plants and expansion over the past 12 years. New multi-million dollar expansion projects by major wood products firms are in final planning stages now. A real asset for the future is the modern new \$1.2 million research facility opened in Cloquet August 11 by Potlatch Forests, Inc., one of the country's largest wood products firms.

A vital part of expansion plans of The Northwest Paper Company is the \$7 million waterline now being built from Superior through Duluth to Cloquet. Industrial areas along the way will be opened for development with an adequate supply of quality water.

The waterline is our first major project related to water and industrial development. There will be others as we learn how better to exploit one of the nation's great, virtually untapped water resources.

A good start has been provided, we think, with completion of the world's first water quality laboratory in Duluth less than a month ago. This \$3.3 million national research facility will attract scientists from all over the world, and draw attention to the vast amounts of cool, fresh, high quality water available in our area.

Secretary of Interior Udall, who helped dedicate the laboratory along Lake Superior's North Shore, called the research facility a milestone against water pollution. It represents, as he pointed out, a fresh new attack on a major national problem.

Water for industry, we have. Water for health, we have. Water for transportation, we have in Lake Superior, the other Great Lakes and the St. Lawrence Seaway which have put Duluth-Superior in the ocean commerce of the world.

Our port has long been known for ship-

ping of iron ore in tens of millions of tons, but consider these 1966 figures: 223.5 million bushels—almost 6 million tons—of grain shipped from the Head of the Lakes, 108 million bushels went directly to overseas destinations, and 37 million bushels to Canadian ports for transshipment overseas. In other words, well over half this record shipping of grain went into foreign nations. Last year other general bulk cargo such as oil and fats totaled 417,000 tons, and general type of cargo which, of course, requires more handling and creates more payroll, totaled 108,500 tons. These tonnages represent a great number of the "salties" or ocean-going ships in our harbor during the shipping year.

There's talk—backed with some optimism—that our shipping season can be 11 months instead of some eight months, and efforts are underway to determine how.

In the short space of nine years since the Seaway opened, the economic impact of the port has grown to equal a \$16 million annual payroll, or a plant employing some 2,800 persons at an average pay of \$108 weekly, something the size of the U.S. Steel plant in Morgan Park, the city's largest employer.

Grain and iron ore shipments are down so far this year, reflecting the slowdown in the national economy, and, in the case of grain, also the threat, and then the actual strike of grain millers. But general packaged cargo already has topped last year's import-export figure, meaning that the most productive, dollarwise, of our shipping continues to grow appreciably.

Water for recreation and tourism we have—in the North Shore of Lake Superior—which we claim is the nation's most scenic drive—and in 13 thousand, maybe 14 thousand lakes and streams.

We haven't done as much, by far, as we can with our recreational resources which also include our forests, and the attraction of great iron mines and taconite plants, an ocean port, and healthy enjoyable weather. But we are learning some lessons from nearby states and from New England that tourism is mighty big business, and produces nearly 100 percent new dollars since little if any expansion of municipal services is needed to serve the visitor.

We need—and we are preparing to stimulate—more luxury resorts such as Sugar Hills, Lutsen, and Quadra Mountain where year around outdoor leisure pursuits are offered to an increasingly growing number of families wanting to participate in, rather than simply watch, sports.

A feasibility study for a luxury all-season resort near Ely to take advantage of the unique attraction of the wilderness, canoe country has been completed. Such a resort will be built. It will create business—as luxury resorts all over have done—for smaller, more modest resorts, and help form a broader base for a visitor season that is year around. This industry is estimated to be a \$50 million-a-year one now in our area. It should not be difficult to double or even triple that sum.

There is a new dimension to our visitor industry—you have seen it and are now enjoying it—our \$6½ million arena-auditorium. It is one of the finest and most functional facilities of its kind in the country, and has lifted us literally into the big leagues of the convention business.

Joe Sturckler, the arena-auditorium manager who has had wide experience in his field, figured that in the first year of the facility, ending only last month, it has pumped more than \$8 million into the Duluth-Superior economy. I think his figure is too conservative, based upon attendance of 780,000 persons at arena-auditorium events.

He thinks, and I heartedly agree with him that we are just getting started. We can now handle national and regional conventions where before we could handle only the more

modestly-sized state convention groups. We can attract the biggest names in show business, in sports, in entertainment.

Believe it or not, more than 900 persons came up from the Twin Cities to hear and see Andy Williams this summer. At least that many will be coming to hear Jack Benny next Friday when he helps celebrate the arena-auditorium's first birthday.

Ice Capades, considered the world's finest ice show, is so enthralled with Duluth and this facility, that it has signed a five-year contract to create and rehearse its new shows and have here each year its world premiere.

We are having Grand Opera on the scale of the great Metropolitan Opera, Robert Merrill helped open the arena-auditorium last year. Our symphony orchestra is attracting the finest stars for performances.

We have had the Harlem Globe Trotters in basketball, major college hockey, top rodeo, teen singing idols and bands, circuses—which shortly will include the Barnum and Bailey circus—all drawing thousands of people to Duluth.

Restaurants, supper clubs, stores, service stations, hotels and motels, report a noticeable surge in business since the arena-auditorium opened to attest to its economic impact.

But the arena-auditorium has meant much more than that to Duluth in my opinion. It has been a project which has aroused considerable civic pride in our citizenry and helped revive a strong spirit, a new confidence in our people.

The same people who generally were fault finding and negative about almost anything in Duluth are willing today to tackle and are tackling all kinds of community projects.

One example is the small group of business leaders who took on the task of developing the downtown urban renewal area. They have succeeded in attracting a new television-radio studio, future expansion of Bud's own newspaper plant, a new \$3.6 million motor hotel to be called the Radisson-Duluth—a high rise apartment building not yet formally announced.

This same group is taking on multi-million dollar downtown parking, and development of an entire central business district block into a new merchandising complex.

Another example is the astounding number of beautification projects developed by individuals and private groups, the Fifth Avenue Mall, the flowers and shrubs which make our civic center of government buildings as eye catching as any, any number of traffic separation triangles and boulevards planted with flowers and trees.

Still another example is the lighting of our aerial bridge paid by funds raised from school children, from all kinds of individuals, from business and industrial firms.

New economic and political leadership has begun to take hold and move the city forward more than I can recall in the 14 years I have lived here.

Unlike in many areas, our people have voted bond issues for new schools, our educational systems, particularly in Duluth, are constantly challenging teaching concepts and attracting more than a fair share of teachers.

The University of Minnesota, Duluth, which this fall term will open with more than 5000 students, will grow to 10,000 students by the early 1970's.

Superior State University across the bay with 2600 students, will grow to 5000 during the same period.

The College of St. Scholastica—relatively small at some 400 students, but with a top national academic rating—is planning for a thousand students. Junior College enrollment at Ely, Eveleth, Virginia, Hibbing and Coleraine will just about double. Duluth's new technical-vocational institute—opening soon—will fill a vital need in this field of post high school education.

In other words, our educational system at all levels is more than keeping pace in an area destined for the kind of gradual population growth which can be absorbed with a minimum of problems in municipal services, also in racial and social tension.

We are not relying on luck for future growth. We are working hard at making things happen, encouraging plant expansion and new plants, notably through the Northeastern Minnesota Development Association. This is a three-year-old organization supported entirely by private funds of more than \$200,000-a-year. It includes mining companies, utilities, news media, banks, merchants and unions, not only as financial supporters, but in its leadership.

Our area is still getting special attention from the federal government through the newly formed Arrowhead District Economic Development group and Upper Great Lakes Commission, and from the state through the Economic Development Department.

I think what sets us a bit apart in our area is that we can live a good life: healthy climate, recreation, an absence of the kind of tensions besetting many other areas, and within almost everyone's pocketbook.

What is it worth to have the peace of mind that comes with this kind of life, without the fear which must pervade so many places with unhappy people.

THE FUTURE OF COLLECTIVE BARGAINING

Mr. JAVITS. Mr. President, on September 20, 1967, Mr. Irving Stern, director of organization of the Amalgamated Meat Cutters & Retail Food Store Employees Union of Greater New York, spoke to the Greater St. Louis Industrial Relations Corp. on the future of collective bargaining. He pointed out, and I fully agree, that if collective bargaining is to continue to serve us well, it must change from a war between management and labor to more of a cooperative venture.

He also pointed out that an important adjunct of this change must be an effort by labor and management leaders to educate those whom they represent as to the intricacies of the collective-bargaining process and the cooperative rather than the antagonistic philosophy which must prevail if it is to be successful.

The speech is a truly remarkable example of the maturity of outlook which responsible participants in the collective bargaining process are beginning to develop and augurs well for the future of collective bargaining as an institution in this country. I ask unanimous consent that Mr. Stern's remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CREATIVE UNIONISM: A SUBSTITUTE FOR POWER
(Address by Irving Stern, director of organization, Local 342, at the Greater St. Louis Industrial Relations Club, September 20, 1967)

All serious students of labor-management relations acknowledge that "collective bargaining" faces a crisis.

Not since the enactment of the Wagner Act has this process been subject to such searching analysis.

An analysis brought about by its obvious failure to resolve industrial conflict without lengthy and costly strikes.

If the rash of strikes—(newspaper, airline, public workers, teachers, rubber, oil, auto)

are indeed an acknowledgement of weakness and failure—the question must be asked—what is the reason?

Particularly in light of the insistence of bargainers that they want no outside interference or meddling with the process—a sentiment expressed several weeks ago by I. W. Abel, head of the million member Steel-Workers Union in a Labor Day message.

Deploing government intervention in recent labor disputes he suggested:

"Industry and labor themselves have a vital obligation to voluntarily strengthen and bring perfection to our free collective bargaining system. . . . Even before negotiations on new agreements begin, the parties should be able to agree on steps to be taken in event of a stalemate in collective bargaining."

Paul Jacobs of the Institute of Industrial Relations of the University of California, a former AFL-CIO organizer, stated several years ago that in his opinion the traditional collective bargaining process is "archaic."

In his study of collective bargaining titled "Old Before Its Time: Collective Bargaining at Twenty-Eight" Jacobs said: . . . "all (symptoms) point toward two fundamental alterations in industrial society today: first, the system of collective bargaining which has operated successfully since the passage of the Wagner Act twenty-eight years ago in 1935 has proved less and less adequate for the solution of some basic problems now faced by unions and management and, second, an increasing number of workers remain outside the system with very little possibility that they will ever come into it."

Jacobs cites as one of the examples of the insoluble:

"Automation and the particular unemployment it brings to a particular plant are problems obviously beyond the capabilities of the union-management collective bargaining. No one can reasonably expect management to continue employing unneeded workers, but no one can reasonably expect unions to concede that they and their members have become superfluous. No one can expect management to absorb all the costs of moving and training displaced workers, but no one can expect the workers (or the unions involved, I might add) to bear those costs themselves."

Scoffing at the "obituary notice" for collective bargaining and unions, George Meany in an address at the Fifth Constitutional Convention in 1963 said:

. . . "I am positive that the American Trade Union movement is a long, long way from outliving its usefulness or achieving its final goals if any of its goals are ever final. We all know that we are not perfect. Our organization is not perfect. It is a human institution."

Ted Kheel, noted mediator, who has helped settle some of the most complex and difficult industrial conflicts has another opinion. Mr. Kheel maintains that he . . . "views the prospect of a strike or lockout as indispensable to collective bargaining and collective bargaining as the best process any society has ever developed for voluntarily settling the relations of workers and their employers." Indeed, the "prospect" of a cessation of work is the most effective strike deterrent ever devised even though it doesn't work 100 percent of the time.

However, he notes . . . "The bargaining process can be improved and the incidence of strikes thereby reduced."

I suggest that George Meany and Ted Kheel are closer to the mark than Paul Jacobs without demeaning in any sense the merit of his observation that many current conflicts transcend the ability of the negotiators to arrive at an easy and peaceful solution.

I suggest further that recognition of the limitations of collective bargaining would be a major step forward in bringing into play those parties and institutions which can ef-

fectively assist in reaching solutions resulting from technological unemployment.

In some measure such institutions exist—governmental and private. These agencies can assist in retraining and providing new skills to workers who become jobless because of automation.

What I am concerned about *here* is why the collective bargaining process covering 17.8 million employees in the AFL-CIO (up from 16.8 million in 1964) fail so frequently in resolving conflicts which are soluble.

This failure, according to William Simkin, Director of Federal Mediation and Conciliation, has caused a 50 percent increase in the rejection of contracts by union members between 1964 and 1966 where the Mediation Service has been involved.

A study involving more than 7,000 cases showed the proportion of rejections rising from 8.7 percent in 1964 to 14.1 percent in 1966.

A further study, according to Simkin, showed that in most cases *neither side* benefited from a rejection because the second settlement was not sufficiently better to have justified a longer strike.

Perhaps the harshest criticism of the present state of collective bargaining and its practitioners has come from Mr. Abe Raskin of the New York Times, a veteran of the labor beat and now assistant editor of its editorial page.

In an article in the February 1967 issue of the Saturday Review, Mr. Raskin deplored the increasing frequency with which unions, management and sometimes government, are unable to break an impasse.

Mr. Raskin said: "The most disturbing aspect is that in many strategic sectors of industry, no remote relationship exists between the capacity or social responsibility of the negotiators and the degree of damage they are able to visit on the economy."

People need licenses to drive a taxi cab, practice medicine, install plumbing or clip hair. Yet, labor-management negotiators who ought not to be allowed to cross the street without a seeing-eye dog are free to inflict hardship on millions of their fellow citizens through sheer incompetence at the bargaining table. And there is not one thing anyone in the community can do to arrest them for reckless use of a dangerous economic weapon."

I suggest, that while Mr. Raskin includes union as well as industry representatives in his broadside—there is more truth than poetry in his indictment.

Outside of the academic world, in my opinion, there is relatively little insight by negotiators into the social phenomena described as collective bargaining.

There is also, in my opinion, a failure by negotiators to develop the sharply-honed skills required to resolve conflict.

This is not to say that some of the more creative of our colleagues in this field have not engaged in successful experimentation in bargaining. These include the Human Relations Committee and the Kaiser Long Range Sharing Plan in steel; the Armour Automation Committee in the packinghouse industry; the American Motors Profit Sharing Plan in auto and the West Coast Longshore Mechanization and Modernization Agreement.

These and other imaginative and flexible approaches to labor peace have had temporary successes. They cannot in my judgment, however, have lasting value or serve as guidelines for other industries, unless the concomitant skills are developed to pilot them through the shoals they have already encountered.

I refer to the termination of the Human Relations experiment in steel, the dim view in which the Armour Plan is currently held in meatpacking and the declining regard for the American Motors Profit Sharing Plan in view of the company's profit drop.

Let us examine collective bargaining as it is practiced today!

Management is concerned with profit and welfare of its business and desires to keep costs and interruptions to a minimum.

Union leaders, understandably, desire higher wages, better benefits and improved working conditions for our members.

In fact, our collective bargaining is a transaction which determines the price of labor services and the terms and conditions of labor's employment—for a specified time.

In the main, contract resolutions are arrived at through the use of power, threats of strikes and lockouts all of which usually lead to compromises.

As presently practiced certain types of skills, of course, are necessary, including the development of strategy and tactics in the deployment of power toward reaching desired goals.

However, the rough give and take of negotiations seldom provides lasting solutions which carry over to the next contract.

Each post-contract period is devoted, either by one side or the other, to jockeying in an effort to remedy real or imagined advantages gained by the other side.

The union's gain is considered management's loss.

A management's victory on the other hand, firms up the resolve of the union to make the next go-to an Armageddon for its opponent.

In this context labor-management relations and collective bargaining are a struggle for power between contending parties.

The assumption of the opponents is that their major objectives are in conflict and their common interests are narrow in scope.

This Win-Lose-Power relationship in which one side gains only at the expense of the other, I suggest, lies at the heart of the failures of the collective bargaining process.

If my belief is true, then what is to be done?

Are solutions such as the Human Relations Committee and Kaiser Long Range Sharing Plan, the answer?

Is the UAW-American Motors Profit Sharing the path to peaceful labor relations?

Is the West Coast Longshore pact or the Armour automation concept the formula for other industries?

These, I admit, are all imaginative solutions by creative practitioners of the collective bargaining process.

They may even assist in solving some of the problems confronting negotiators in other industries.

However, I would suggest what is most urgently required is a comprehensive understanding of the ramifications of the collective bargaining process and development of people-handling skills by union and industry bargainers.

Such understanding and skills would help to avoid the Win-Lose-Power traps which result in so many fruitless and costly strikes of no benefit to either side.

Such understanding and skills would not be a panacea to remedy the social problem of technological unemployment noted earlier in Paul Jacobs critique—although it would help identify problems so the solutions may be sought in the political arena, where they belong.

Not only would it help clarify and define the area and scope of collective bargaining it would also help eliminate the "armed truces" which exist between contracts.

What is also needed, I suggest, is a re-education of the constituencies affected by collective bargaining.

My own experience in this regard can help clarify such need.

In one of my first ventures in collective bargaining I noted with concern the vigor of the language and table thumping but the virtual absence of discussion and persuasion based on relevant facts.

It did not take too long to conclude that both the union and management negotiators were more concerned with satisfying what they thought were their constituents' demand for toughness than in reaching a fair and equitable settlement.

Both sides refused to acknowledge that the opposite side had raised a point which warranted examination and perhaps would benefit both sides. It was also apparent both felt this would diminish the "hero" role both sides wanted to play in front of their committees.

A settlement, of course, was finally reached, but with great rancor and with sufficient unresolved problems leading later to incessant wrangling during the life of the contract.

The stage was set. The next contract negotiations inevitably had to be a knock-down, all-out struggle.

We, therefore, concluded a change in atmosphere was required.

In the next negotiations, by joint agreement, both the union and management attempted to deal with each other in a more rational manner.

We attempted to restructure our negotiations so that we eliminated the bitter language and examined each other's problems and needs in a more intelligent manner.

We attempted to understand each other's point of view so that perhaps both sides could be satisfied without diminishing our position and prestige with the people we represented. We attempted to create a problem-solving atmosphere.

But we reckoned without our constituents and how they perceived the role of negotiators.

Soon committees on both sides were questioning the adequacy and integrity of spokesmen on both sides. (Multi-chain Association bargaining.)

This made it clear that unless a complete re-education of our constituencies took place—joint problem-solving negotiations could not succeed.

As a result of this experience the union resolved that in the future when a negotiating committee was elected by the rank and file it would train and educate that committee in the techniques of negotiations.

The union also determined to set the expectations of its members at more realistic levels and to prepare in advance for its major objectives.

Now when contract time approaches, discussions are undertaken with the union staff, Executive Board and membership, months before the submission of the proposals to the industry.

Sufficient time is allowed for thorough examination and review of goals so that extreme proposals can be planned down to more realistic forms.

Discussions are also undertaken with the industry with respect to the union's goals.

In addition we undertook an extensive training program for the staff and officials of the union so that there would be a more thorough understanding of joint-problem solving techniques in bargaining.

This involved restructuring the union to eliminate the "boss" concept and substituting team leadership.

It meant developing new skills for union representatives so they could fill their new roles.

Courses were held to improve their communication skills, handling of groups, conflict resolution and many other qualifications necessary for a leadership role.

The entire staff undertook a sensitivity training course to reduce and eliminate interpersonal barriers and to improve their functioning as team leaders.

The training program has been described in detail in the New York State Department of Labor's Industrial Bulletin of April, 1967, which all of you will receive later.

The union today has its major premise

that effective leadership means *training and education* instead of *domination and control*.

I believe that one of the greatest needs for negotiators is to understand the behavior patterns in a variety of collective bargaining situations.

In fact this type of understanding has been made available to negotiators by Richard Walton of Purdue University's School of Industrial Administration and Robert McKersie of the University of Chicago's Graduate School of Business in their book "A Behavioral Theory of Labor Negotiations."

This little-known book sets forth a theoretical framework for understanding the negotiating process which the authors describe as an instance of a more general interaction system.

The book analyzes four sets of activities which together accounts for almost all the basic behavior in negotiations.

The first system of activities comprises competitive behaviors that are intended to influence the division of limited resources. This pure conflict subprocess is called "*distributive bargaining*."

This is what was earlier referred to as the *Win-Lose* process.

The third system comprises activities that increase the *Joint gain* available to the negotiating parties. They are *problem-solving* behaviors and other activities which identify, enlarge and act upon the common interests of the parties.

This system is designated as "*integrative bargaining*."

This is the problem-solving path followed in the main by those creative bargainers who have come up with the concept of the Human Relations Committee and other imaginative solutions noted earlier.

Frequently negotiations confront elements of both processes or mixed bargaining issues—pure conflict and problem-solving areas, this is mixed bargaining issues.

The third system comprises activities that influence the attitudes of the parties (union-management) toward each other and affect the basic relationship bonds between negotiators involved. The process is referred to as "*attitudinal structuring*."

The fourth system of activities, which occurs as an integral aspect of the interparty negotiations, comprises the behavior of a negotiator who is meant to achieve consensus with his own organization—in the one case the union—in the other, the company. This fourth process is called "*intraorganizational bargaining*."

The four processes have their own internal logic and utilize the underlying disciplines of economics, psychology and sociology.

I recognize that resolving wage issues will often create conflict in negotiations. It is my belief however, that wage disputes are less frequently the cause of strikes and work stoppages than other questions.

More often than not these struggles are caused by the lack of understanding of the problems and goals of the opposing parties, particularly on the operational level.

This is further complicated I have observed, by the lack of trust in each other's motives.

Other major factors contributing to industrial conflict in my opinion, are:

1. Lack of long range planning.
2. Failure of some management and labor representatives to understand sound economic principles.
3. Lack of maturity in negotiations and playing to grandstand—making the opponent look bad in front of his committee.
4. Flaunting an unequal balance of power between the contending sides.
5. Insensitivity on part of management to the problems of employees when new technology is introduced.
6. Inadequate understanding of the actions, objectives and political problems confronting union leaderships.

It would be foolhardy for any professional negotiator to suggest that conflict, strikes and lockouts can be completely eliminated from labor-management relations.

It would, in my opinion, be equally foolish to maintain that many strikes and struggles are not caused by the inadequacy and lack of skills of the negotiators.

Based on personal experience, I believe, as I have stated, that if we can convert our negotiations from a setting of Win-Lose, to joint problem-solving, many of our tension-filled, down-to-the-wire explosions would find peaceful resolutions.

I believe in integrative or problem-solving approaches to collective bargaining and to the extent it is possible I would urge others to follow the same course. My own experience has proved it beneficial for our members and for the industry in which we function.

Here are some helpful guidelines to integrative or joint problem-solving:

1. Identify the problem: Provide a maximum exchange of information about the problems perceived by each party in order that these problems can be defined in their essentials. The problem must be formulated in a clear and accurate manner so both parties are talking about the same thing.

2. Search for alternate solutions and their consequences: This is under the assumption that alternate courses of action or potential resolutions are not immediately apparent but rather has to be discovered or created. This step may involve thorough and accurate gathering of information about alternatives and their consequences. The parties must attempt to be imaginative in perceiving alternatives and persistent in exploring the full-range of alternative solutions.

3. Arrange a preference order of solutions and course of actions: This involves identification of the advantages accruing to both sides possible in a situation. The bargaining parties do this by engaging in successive comparisons among alternative solutions.

Among the conditions which facilitate integrative problem-solving are:

1. Motivation—both parties must be motivated to solve the problem and provide sufficient time to discuss it.

2. Information and language—Those participating in problem-solving must have full access to information relevant to each step and be authorized to use it. They must also have the skills of communication to adequately exchange this relevant information.

3. Trust and supportive climate—A supportive and trusting climate facilitates joint problem-solving. Defensive and low-trust atmosphere inhibit the process. A supportive climate is marked by encouragement and freedom to behave spontaneously without fear of sanctions.

It is noteworthy that the very questions which prove most contentious in negotiations are the ones which lend themselves to integrative problem-solving resolution.

For example:

1. Individual Job Security & Management Flexibility
2. Reviewing Jobs & Management Efficiency
3. Expanded Benefits & Limited Costs
4. Institutional & Union Security

Earlier I noted George Meany's comment that unions are a human institution—and so we in labor recognize are companies and their managements.

There are no panaceas which will eliminate conflict. And besides some conflicts are meaningful—the struggle against tyrants and despots, the struggle for freedom, for economic security, for civil rights—the struggle for individual liberty.

To the extent that we understand and apply our knowledge of human behavior—to that extent we will minimize wasteful conflict and deal with industrial relations in a purposeful and productive manner.

THE 20TH ANNIVERSARY OF THE EXECUTION OF NICOLA PETKOV

Mr. DODD. Mr. President, the last week of September marked the 20th anniversary of the judicial murder of Nicola Petkov by the Bulgarian Communist regime, acting under Soviet orders.

Nicola Petkov was one of a generation of heroes and martyrs who resisted the Communist takeover of the countries of Central Europe, even though the presence of the Soviet Red army foredoomed their fight to failure.

Although many democratic leaders in many countries displayed exemplary bravery in this situation, Nicola Petkov was perhaps the bravest democrat of all. Indeed, on rereading the record, I cannot help wondering whether, in all the annals of parliamentary opposition to the threat of dictatorship, there has ever been an opposition or an opposition leader that can compare with Nicola Petkov and the brave group of deputies whom he led in the Bulgarian Parliament.

If Nicola Petkov were alive today, the lessons he learned would be of priceless value to the free world. For Petkov was an idealist and a liberal who, like many of our liberal idealists of today, believe in cooperating with the Communists. He learned—when it was too late—that the Communists exploit such willingness to cooperate, only to destroy their enemies.

Nicola Petkov's story would be difficult enough to tell within the confines of a single volume. Since I cannot tell it all, I will relate only a few fragments of the story so that my colleagues may know something of the stature of this remarkable man.

The Yalta agreement had held forth the promise that the peoples of the Central European countries would be permitted to elect governments of their own choosing. But to the Soviets the Yalta agreement was only a stratagem to throw the Western nations off guard. In all of the countries they had occupied, they immediately embarked on a series of moves designed to destroy the democratic opposition and to install Communist dictatorships under their own control.

The Western allies, regrettably, did not understand the nature of their adversary or the nature of the game this adversary was playing. If we had understood, I believe that we could and would have taken the few steps that would have been necessary to persuade the Kremlin to desist from its design. After all, at the close of World War II the Soviet Union was exhausted. Its economy was in shambles. It was dependent to a very heavy degree on East-West trade for the rebuilding of this economy. The Red army was heavily committed as an occupation force holding down 100 million Central Europeans.

At this juncture, the threat of sweeping economic sanctions, by itself, would probably have been sufficient to compel the men in the Kremlin to agree to elections under United Nations supervision in all of the Central European countries occupied by the Red army.

But instead of applying whatever pressure may have been necessary to compel the Soviet leaders to live up to the letter of the Yalta agreement, the West was

outmaneuvered by Moscow to the point where the United States and Britain applied pressure on the democratic opposition leaders in Bulgaria and Rumania and the other occupied countries to enter into coalition governments under Communist leadership.

This was the sense of the agreement arrived at at the conference of the Big Three Foreign Ministers in Moscow in December 1945.

In January 1946, Andrei Vishinsky, Deputy Foreign Minister of the U.S.S.R., arrived in Sofia for the purpose of attempting to implement this decision in respect to Bulgaria. The following account was written by one of Petkov's colleagues:

At midnight on the day of the Soviet envoy's arrival, a Red army officer visited Petkov and told him that he had orders to take him immediately to Vishinsky's headquarters for a private conversation. The opposition leader answered that he is "engaged in politics, not in conspiracies," and that he would call on Mr. Vishinsky not immediately but on the following morning, together with his fellow-opposition leaders Kosta Loulchoev, Cosiclist, and Prof. Stoyanoff, Independent.

When Petkov entered Vishinsky's office the following morning, the Soviet envoy was nervous and in a bad mood. Their conversation follows:

VISHINSKY. Last night I requested your presence for a meeting and you refused to come. How dare you assume such an attitude? Who do you think you are to conduct yourself in such a manner with a plenipotentiary of Generalissimo Stalin?

PETKOV. Since you called me for a meeting, you no doubt know who I am. However, since you act as if you did not know, then I shall tell you. I represent the strongest political organization in Bulgaria, the Agrarian Union, the organization of the Bulgarian peasants who constitute 85 percent of our country's population. Ours is a democratic organization and a loyal collaborator of the other organizations of the democratic opposition. We engage in politics in the daytime, not at night. Nights are better suited for conspiracies, for which we have no taste at all.

VISHINSKY. Do you know who I am?

PETKOV. Certainly. You are the deputy of the Commissar for Foreign Affairs of the Soviet Union.

VISHINSKY. You will have to abide by our decision and join the government.

PETKOV. I and my friends are ready to enter the government if our conditions for a truly democratic government are accepted.

VISHINSKY. You have no right to formulate any conditions. You are to designate two persons who are to enter the cabinet without any conditions whatsoever. Such is the order of Generalissimo Stalin. Do you understand? I have no time to waste.

PETKOV. Mr. Vishinsky, I am not in the habit of receiving orders from any foreign officials. I get orders from my people and my organization.

VISHINSKY. I have seen many like you, just as stubborn and as arrogant. But you can't fight against the Soviet Union. You are too small for that. We will show you what it means to kick against us. You do not know us yet. (Hits the desk with his fist.) You are going to accept and like it too.

PETKOV. We are fighting, Mr. Vishinsky, for our ideas and to defend the rights of our people. This is our trust and no one is in a position to make us deviate from it.

VISHINSKY. You are too insignificant for that, and history will only pass you by.

In the month of August 1946, it was agreed that there would be elections to a constituent assembly on October 20.

For a description of the elections and the events that followed, let me quote from an article by Dr. G. M. Dimitrov, who shared the leadership of the Bulgarian Agrarian Party with Petkov:

Petkov now began a campaign which, for sheer heroism, is unsurpassed in the annals of any opposition. With the Red Army still in the country, and with the communist-controlled police breaking up their meetings, the opposition attacked the government and the communists and Soviet intervention as recklessly as though they enjoyed the protection of the American Constitution. Petkov's paper, during the pre-electoral period especially, was an inspiration to read. "What our people must show," said the Banner for October twelfth, "is *de l'audace, et encore de l'audace, et toujours de l'audace!*" The following day, under the caption *Where Are the Agrarian Deputies?* It charged that the Agrarian Party had not been permitted to put up candidates in 25 percent of the constituencies and that of the candidates for the other constituencies, almost fifty were under arrest. "Freedom does not come on a silver platter," wrote Petkov on October fifteenth. "Freedom is something for which you must fight."

To the communists' protestations that they had no intention of taking the peasants' property, Petkov replied with the most devastating slogan of the electoral campaign: "As the wolf cannot watch over your flocks, as the fox cannot befriend your hens, so the communists cannot protect private property. Electors! Vote without any fear against the communist constitution, against the communist dictatorship!"

On October twentieth, the opposition finally was granted permission to hold an open meeting in Sofia—without loud-speakers or lights. Despite all the restrictions, more than 200,000 angry peasants swarmed into Sofia and joined the city workers and middle class in the most impressive demonstration of the entire electoral campaign. "Down with the dictatorship!" they roared. "Down with red Fascism! We want Petkov!"

When Georgi Dimitrov shouted that the future belonged to the communists, Petkov intervened. "The future belongs not to you, Mr. Dimitrov, but to the people. You are not a god, Mr. Dimitrov, though you may deceive yourself on this score by taking into your party only those who accept you as their god. . . . Your program is one word: Dictatorship! Our program is also one word: Liberty!"

On January 30, 1947, Dimitrov made his first direct threat to Petkov. After roaring that "Koev must be hanged!" (Petar Koev was one of Petkov's chief aides) he went on to say that the government possessed documents involving the leader of the opposition. The following is a condensation of the exchange that took place.

PETKOV. Are you a satrap, that you issue such summary condemnations? After all, you are not a god—you are not even a qualified judge. As for the documents of which you speak, I challenge you to produce them.

DIMITROV. Very soon you will receive your documents. When you do, not one of you will remain in this assembly. There is no place in this assembly for foreign agents.

PETKOV. You speak of foreign agents. . . . For twenty years, you, Mr. Dimitrov, were a citizen of a foreign country. You became a Bulgarian citizen only two days before the election. You have no right even to speak as a Bulgarian.

The battle grew in intensity. On April third, one of the opposition deputies got up and made the accusation that under Article 4 of the armistice, the Communist Party was a fascist organization and should accordingly be dissolved. The communists, outnumbering the opposition almost four to one, rushed across the floor and engaged them in a ter-

ribly unequal battle in which many of the opposition were injured. The opposition left the chamber *en masse*, by way of protest.

The next day they were back in their places to renew the struggle. An Agrarian woman deputy charged that the Communist Party was squandering public funds by making all of their members eligible for the special allotments voted to active partisans. Again the communist majority charged the opposition. Again the opposition left the chamber with their heads bloody. Again they came back the following day.

And so it went, until the final arrest of Petkov and the dissolution of his party.

The bulk of the evidence against Petkov consisted of confessions purportedly made by his "fellow conspirators." The most important of these was the "confession" of Petar Koev, the Petkov aide who had been arrested in mid-January, 1947. Koev had been arrested once before, in August, 1946. While he was in prison he had been elected to parliament and, in consequence of parliamentary immunity, he had been released. On his release he sent a letter to his leader, Petkov, which Petkov had the courage to read to the assembly.

"They reduce you to a state of utter moral and physical prostration," said Koev's letter, "in which you become indifferent to your fate and to life itself, so that you desire some solution—any solution—so long as it will put an end to the intolerable suffering. . . . Contrary to normal juridical procedure, you are condemned first, and it is only afterwards that they begin to search for accusations and proofs. These are obtained by means of three types of torture: physiological torture—hunger, lack of sleep, thirst; physical tortures—beatings and being compelled to stand upright for days and nights on end; psychological tortures—insinuations that your family has been incarcerated, etc."

"I remained for twenty-one days in solitary confinement without being interrogated. During this time they subjected me to the hunger treatment—a bit of bread and water each day. . . . The obvious purpose of this treatment is to produce physical attrition and a corresponding weakening of your will. At eight a.m. one Saturday they took me up to the fourth floor to be interrogated. The interrogation went on for five days without interruption, twenty-four hours a day. The interrogator was changed every three hours, while I was compelled to remain standing, handcuffed, without sleep, unable to support myself either against the table or against the wall, without food and—what was cruelest of all during those suffocatingly hot August days and nights—without water. Every three hours the same questions were repeated until I became unconscious. . . . My bare feet swelled to unimaginable proportions. The interrogators showed not the faintest pity. . . . On the fifth day they threw me into an empty cell, where I slept like a dead man for more than twelve hours."

On the four succeeding nights Koev was trussed and beaten on the soles of his feet for three or more hours on end, with interludes during which he was questioned by Inspector Zeyev.

"During the balance of my detention," concluded the letter, "I was asked no questions, but I remained the object of a campaign of moral pressure and psychological terror. They applied refined tortures of such a kind—allusions to the fate of my family, the safety of my children, etc.—that I would honestly have preferred physical tortures."

When Koev was deprived of his parliamentary immunity on the occasion of his second arrest, he made this final declaration before leaving the parliament, "I am innocent. I know, however, that through me you are attempting to strike at the general secretary of our party, Nicola Petkov. My final words are that only the declarations which I make before you now correspond to the

truth, and that, if it should happen later that, after a period of 'instruction,' I should make some 'confessions,' they will have been extorted from me by means of violence."

Koev made his "confessions" and was sentenced to twelve years. He will never emerge alive. Petkov, though he defended himself heroically and admitted nothing, was sentenced to death.

Finally, I would like to quote from an account of the trial of Petkov by the Bulgarian writer, Asen Slavov, who is now in the United States:

The last word was given to the defendants. Nikola Petkov spoke first. Again he denied the charges hurled against him. "I want to deny the ridiculous assertions, first that my hands, under the weight of my guilt tremble and that I cannot stand still. I must state that the trembling of my hands is a defect acquired by birth, which fact is well known to those who have been close to me. To prove this I have submitted to the court a medical certificate. Secondly, that due to remorse and shame I have often been seen bowing my head. Regardless of how unpleasant this is to me I will explain the true reason for this fact, which is really very ordinary and prosaic. When they took me from my home, I was not fully dressed. I did not have a belt on my pants. Now, thanks to your kind care and hospitality, I have lost half my weight. I am, therefore, obliged, from time to time, to take care of my appearance, in order not to find myself in an embarrassing situation."

Nikola Petkov continued, "I have already told you that I have not plotted a coup d'etat. However, I have fought against you and will fight until my last breath, because this struggle is a struggle for the restoration of human rights stifled by you. This is a struggle for the liberty and the very existence of the Bulgarian people. And if I die in this struggle, thousands of others will continue it. Today, this is a struggle which is wanted within our country; however, the day is very close, when it will be carried on outside our country, too. Of this I am sure and it is this certainty that gives me the faith and strength to endure my evil fate. Fortunately for the Bulgarian people they have succeeded in saving the life of their most trustworthy son, Dr. G. M. Dimitrov. He has mobilized all the forces of the nation abroad and soon, with the assistance of the entire civilized world, he will break the chains of slavery which hold the oppressed Bulgarian people captive. I will die but Bulgaria will be free."

When he finished his speech a complete silence fell upon the court room. Suddenly the silence was broken, like a clap of thunder, by the applause of two sweet looking ladies. The daughter of the prominent agrarian functionary Kurti Kutev and the wife of the attorney Ivan Ganev, who had entered the court room unnoticed, being unable to restrain their admiration of the heroic attitude of their favorite son, were standing with their heads held high, and were applauding. Confusion and disorder broke out.

I stood breathless. One cannot eradicate a people whose sons and daughters have so much courage, will and self-sacrifice. The audience stood motionless and speechless. Then suddenly pandemonium broke. The communist mob descended, like a hurricane, on the two unfortunate women. I could not see for quite some time what was happening to them. Knock down, kicked and trampled upon, they were dragged out to the police vans. Months later I learned that they had been taken to the prison hospital, in a half conscious state, from whence they were sent to concentration camps in Dordudja.

This was the measure of Nicola Petkov.

The free world owes Nicola Petkov a debt of honor which it can only acquit

through a rededication to the cause of freedom for the people of Bulgaria and the peoples of the other captive nations.

ROBERT T. SMITH: PORT BUILDER

Mr. MONDALE. Mr. President, over the past 8 years a new ocean port has been developed in the heart of America—the port of Duluth. The ocean port of Duluth was made possible by opening of the St. Lawrence Seaway in 1959. Converting this opportunity into the reality of an established seaport has required persistent effort and dedication. Much of the credit for the rapid development of the port of Duluth must go to the hard work and untiring efforts of Robert T. Smith, who recently resigned after 8 years as director of the Seaway Port Authority of Duluth. During these years, I have been privileged to work with Bob Smith and to come to know him as a friend. His contribution to the growth and development of the seaway port of Duluth was recognized recently in an editorial published in the Duluth News-Tribune. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Duluth News-Tribune, Sept. 28, 1967]

SEAPORT PATHFINDER

Departure of Robert T. Smith, the first director, Seaway Port Authority of Duluth, is concluding a chapter in our experience as a seaport. These first years of the St. Lawrence Seaway era have called for many decisions here. Duluth has been obliged to enter several struggles, some of which will go on for a long time.

Our port was utterly new as far as big-tonnage traffic in salt-water ships was concerned, until the spring of 1959. The new director, a seasoned professional, saw several threats to its potential. He strengthened the forces insisting upon a really high High Bridge and helped win that fight. He was able to advise and assist in many ways in the planning and building of the Arthur M. Clure Marine Terminal here, a facility which has earned the highest praise from visitors best qualified to make comparisons with other ports. He was one of those insisting upon the two 90-ton cranes which enable us to share in the competition for some types of cargo.

Smith was a believer in the Terminal tank-farm which has proved its value, handling an important traffic in vegetable and animal oils and fats.

Smith participated in campaigns which got equality in "free time" for railway cars containing export freight, with the coasts, Chicago and Milwaukee. He pressed for the transfer of the Commodity Credit Corp. offices from Cincinnati to the Twin Cities. He got into the fight against diversion of Great Lakes water and for the protection of lake levels—a campaign helpful to all-lakes shipping, too.

He fought and helped to end a rate discrimination against this port by foreign-flag ships. He has hammered away at the injustice and the economically self-defeating aspects of the St. Lawrence Seaway toll plans. Smith is familiar, as few men are, with the widely ranging array of charges and free services encountered by ship operators in the ports of this country.

The first director had to be an educator. The terminal staff, the crews loading and unloading ships, the operators of many facilities have learned what is expected of them.

Duluth has made a good record—outstanding in such things as safety, and very low levels of breakage and pilfering.

We do not get all the freight we ought to have. Old patterns are hard to break, particularly for a small city, whose obtaining of a fair share is not very high on the priority lists of a lot of powerful decision-makers in other cities. We have made some remarkable shipping history, however, in a test which has no exact parallel anywhere. Smith has earned a place in the history of this port and of the Seaway's first years of operation.

CIVIL DISOBEDIENCE: PRELUDE TO REVOLUTION—ADDRESS BY LEWIS F. POWELL, JR.

Mr. BYRD of Virginia. Mr. President, the Richmond Times-Dispatch on Sunday, October 8, published in full the speech delivered by Richmond attorney Lewis F. Powell, Jr., on "Civil Disobedience: Prelude to Revolution."

Mr. Powell, a past president of the American Bar Association and a member of President Johnson's Crime Commission, delivered the speech last week at Point Clear, Ala.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

CIVIL DISOBEDIENCE: PRELUDE TO REVOLUTION

This will be a lawyer's talk about law and order and civil disobedience. The subject is related to complex social and economic problems—some of the most perplexing of any age. But there is no hope of solving these problems unless an ordered society is preserved.

There is deep concern today about the disquieting trend—so evident in our country—toward organized lawlessness and even rebellion. One of the contributing causes is the doctrine of civil disobedience. This heresy was dramatically associated with the civil rights movement by the famous letter of Martin Luther King from a Birmingham jail.

As rationalized by King, some laws are "just" and others "unjust"; each person may determine for himself which laws are "unjust"; and each is free—indeed even morally bound—to violate the "unjust" laws.

Coming at a time when discriminatory state and local laws still existed in the South, civil disobedience was quickly enthroned as a worthy doctrine. It met the need of intellectuals and theologians for a moral and philosophical justification of conduct which, by all previous standards, was often lawless and indefensible.

Initially, disobedience tactics were directed specifically against discriminatory laws. The sit-ins and demonstrations were aimed primarily at segregated facilities and denial of voting rights—largely in the South. But as the use of disobedience tactics expanded, the relationship between the act of protest and the law protested became increasingly attenuated.

Indeed, as the protest movement expanded to northern and western cities, its objectives broadened from specific discriminatory laws and practices of the South to the age-old social and economic problems of bias, poverty and unemployment. Predictably, disobedience tactics were soon employed in other causes—on the campus and across our country.

Few voices spoke out against civil disobedience. Because of its association with the cause of civil rights, criticism of disobedience and its tactics was largely muted. Many persons of goodwill—including many clergy-

men and campus intellectuals—were so enchanted by the "causes" that they gave little thought to the means employed or to where the disobedience road would lead.

But all who advocated civil disobedience were not so naive. Political activists and extremists of all kinds were quick to recognize the potential of this doctrine as an extralegal means of attaining goals—and even of promoting revolution. Moreover, a doctrine which tolerates and justifies disobedience of law—implemented by sit-ins and street mobs—is made to order for cynical leaders promoting rebellion and other extremist causes.

One of the few national leaders, who had both the insight and the courage to speak out against civil disobedience tactics, was Mr. Justice Hugo Black. Writing early in 1966, he said:

"Governments like ours were formed to substitute the rule of law for the rule of force. Illustrations may be given where crowds have gathered together peaceably by reason of extraordinarily good discipline reinforced by vigilant officers. Demonstrations have taken place without any manifestations of force at the time. But I say once more that the crowd moved by noble ideals today can become the mob ruled by hate and passion and greed and violence tomorrow. If we ever doubted that, we know it now. The peaceful songs of love can become as stirring and provocative as the Marseillaise did in the days when a noble revolution gave way to rule by successive mobs until chaos set in. . . . It . . . [is] more necessary than ever that we stop and look more closely at where we are going."

It is notable that Mr. Justice Black wrote these prophetic words in February, 1966, before the emergence of black power as an overt doctrine, and prior to the riots of 1966 and 1967.

But few heeded his warning. Despite clearly visible danger signals, political, religious and intellectual leaders continued to tolerate and justify civil disobedience—even after such major eruptions as Watts, Cleveland and Chicago.

There seemed to be a curious unawareness that once lawlessness is tolerated and justified it feeds upon itself and leads either to revolution or violent repressive measures. It has been said wisely:

"Once you give a nervous, hostile and ill-informed people a theoretical justification for using violence in certain cases, it is like a tiny hole in the dike; the rationales rush through in a torrent, and violence becomes the normal, acceptable solution for a problem. . . . A cardinal fact about violence is that once initiated it tends to get out of hand. Its limits are not predictable."

So much for a review—obviously incomplete—of the origin and escalation of contemporary civil disobedience. This brings us to the year 1967—a year of crisis in which the symptoms of incipient revolution are all too evident.

Two movements have been emerging: (1) a militant Negro nationalist movement, summed up in the slogan "black power"; and (2) a radical political movement called the "New Left" or "New Politics," which hopes to change our form of government. The two movements have been converging, and now pursue the common causes of black power and frustration of America's attempt to contain communism in Vietnam. Both of these movements rely heavily upon civil disobedience tactics.

The public is widely aware of the Negro revolt. There is far less awareness of the New Left, its organizations and its radical goals. There are a number of New Left groups with varying degrees of militancy. Although not yet coalesced into a single organization, they are moving toward a united front—certainly on race and Vietnam issues.

Most Americans—of both races—have been

shocked and dismayed by a summer of unprecedented discord. The great majority of Negro citizens have been as dismayed as the whites. Yet, the average citizen, preoccupied with his own problems and pleasures, assumes that domestic tranquility is an inalienable right. There is a child-like disbelief that this land of the free—internally secure for 100 years—is actually confronted with strife and violence on a massive scale.

Complacent Americans would be well advised to heed the warnings of the militant leaders. Here are some random examples of what they are saying and planning—quite openly:

Carmichael—Carmichael has allied himself and black power with revolutionary Communism. Speaking at Havana he said: "There are no longer any isolated struggles. They are all correlated. . . . The only solution is armed struggle."

H. Rap Brown—Speaking, of all places, in a Washington Episcopal church with permission of the controlling clergy, Brown is quoted as saying:

"We'll make the Viet Cong look like Sunday school teachers—violence is necessary."

"Get you some guns—(and) burn this town down."

Martin Luther King—The prophet of civil disobedience, King seems bewildered at times by the escalation of his own doctrine. On occasion he has joined moderate Negro leaders in criticizing riots. But he is arm-in-arm with Carmichael and McKessick in slandering his own government and in inciting violation of draft laws. He has said:

"America is the greatest purveyor of violence in the world today."

And he has compared the use of new American weapons in Vietnam to the Nazi testing of "new tortures in the concentration camps of Europe."

King's favorite role is organizing disruptive demonstrations. He is now urging "mass civil disobedience" for the purpose of "dislocating" northern cities. He is planning such "nonviolent" tactics as weekly school boycotts, blocking plant gates with unemployed Negroes, and disrupting governmental operations with sit-in demonstrations in federal buildings.

CORE leaders—Although CORE has recently received a grant from the Ford Foundation, its leaders are now committed to black power extremism.

McKissick, replying to a question by a white reporter as to what the Negro wanted, put it quite simply in the classic terms of revolution:

"The answer is—everything you got right now, and everything you hope to get."

A New York Times story reported that CORE's number two leader, Wilfred Ussery, believes that:

"Armed conflict between black and white can no longer be averted."

Father Groppi—A newcomer to dubious prominence is Father Groppi, a Milwaukee Catholic priest. Working with the NAACP Youth Council, he has organized and led paralyzing demonstrations for open housing. The liberal mayor of Milwaukee, Henry W. Maier, charges that Groppi is "trying to incite riots," and that "rational discussions with him are impossible." Father Groppi has recently been quoted as saying "Morally, I have no argument against the black man's right to use violence."

Dr. Benjamin Spock—Spock, a New Leftist dilettante, also has joined those who condone rebellion. Speaking at the recent convention on New Politics, he said:

"The situation in America is desperate. The principal sign of it is the revolt of our black fellow citizens. . . . The founding fathers declared that people who are oppressed, and can find no other redress, must rebel."

Staughton Lynd—Lynd, a Yale faculty member on leave and an intellectual leader of the New Left, made an unauthorized trip

to Hanoi. He insists that representative democracy is outmoded; that we must substitute a "participatory democracy"—which apparently would function through mass meetings and demonstrations. In a revealing article to the New York Times magazine section, Lynd argues that the uprisings in the cities have been "rebellious" and not riots; and—citing the American Revolution and other irrelevant precedents—he justifies the Carmichaels and the Browns and their call for revolution.

The foregoing are only a few—if among the better known—of the leaders of militant civil disobedience. Their roles and views differ, and I do not suggest that each is equally responsible for the lawlessness which threatens to engulf our country. Yet these, and hundreds of lesser known leaders, are men determined to remake America—not by the democratic processes of our institutions but by varying forms and degrees of coercion. The more radical of these leaders, like Carmichael and Brown, are openly advocating revolution.

Let us turn now from the leaders to examples of extremism in action.

The first is Vietnam Week of last April, when tens of thousands marched in New York and San Francisco. Draft cards were burned, placards of hate displayed, and vicious anti-American speeches made by King, Carmichael and Spock.

The initial planning for Vietnam Week took place at a Chicago conference, instigated and dominated by Communists and fellow travelers. The Communist line objectives of Vietnam Week were to undermine United States opposition to communism in Vietnam and to ferment racial discord.

Shortly following these marches, King announced the formation of "Vietnam Summer"—a coalition of opponents to American policy and includes well-known Communist allies and other luminaries of the "hate America" left. The avowed objective is "to organize opposition to the war in ghetto areas", and encourage our youth to "refuse to fight."

As Dean O'Meara of Notre Dame Law School has said, many of those who thus aid the Communist enemy "give themselves away":

"For never once do they condemn the terrorist tactics of the North Vietnamese; never once do they condemn Hanoi's rejection of all peace proposals . . . ; never once do they lament the suffering and death borne by our forces in Vietnam. These persons weep only for the enemy."

Having attained some success and notoriety through Vietnam Week, the New Leftists then planned and held what was called "The National Conference for New Politics", attended by some 5,000 delegates. Its stated purpose was to create a united front among groups supporting the black power and "peace" movements. King and Spock were among the principal speakers. The Communist party, as in the case of Vietnam Week, was active in the planning and manipulation.

The conference, dominated by black power militants, condemned "the savage and beast-like character that runs rampant through America as exemplified by the George Lincoln Rockwells and the Lyndon B. Johnsons". It also adopted a straight Communist Party line resolution, which pledged:

"Total and unquestioning support to all national peoples liberation wars . . . particularly in Vietnam."

The flavor of the New Politics Conference was summed up by Walter Goodman, writing in the N.Y. Times Magazine, who said:

" . . . it stunk of totalitarianism."

Vietnam week and the Conference on New Politics are chilling examples of growing extremism in this country. The dominant themes of both were hatred of fellow Americans and contempt for our institutions. Their goals are to be attained not by democratic

processes but by various techniques of civil disobedience.

One of the major targets is American policy in Vietnam, now under virulent attack. Reasonable men may well differ as to the wisdom of this policy. But only those who are blinded by their prejudices, or who are indifferent to the consequences of lawlessness, will deliberately incite disobedience of valid laws. A most recent example of this irresponsibility is the public demand by a group of some 320 clergymen, educators and writers that churches and synagogues be used as "sanctuaries" for youths who defy the draft law. If thousands of young men refused to fight for their country, as pointed out by Tom Wicker of the New York Times:

" . . . the power (of the government) to pursue the Vietnam war or any other policy would be crippled if not destroyed. The government would then be faced, not with dissent, but with civil disobedience on a scale amounting to revolt."

Or, suppose the campaign against payment of income taxes gains widespread support. This is not an illogical possibility, as this relatively bland form of civil disobedience has appeal to a broad spectrum of disaffected citizens. But however appealing it may be, widespread refusal to pay taxes could bring orderly government to a halt.

So much for examples of nonviolent—though potentially disastrous—disobedience. But the greater concern has been the violent eruptions in our cities—where civil disobedience has reached its ultimate form. I do not know whether any of the persons or groups named above was legally implicated in any of these riots. Let us assume no such implication. Yet few can doubt that the cumulative effect of the black nationalist movement, and of the incitements to hatred and disobedience were major contributing factors. As J. Edgar Hoover has said:

"Those who espouse the theory of civil disobedience and authorities who free guilty violators must share a portion of the blame and responsibility for the turmoil in our streets."

There have been riots or major disorders in some 75 cities in 1967. Detroit was the shocker, with 43 killed, 386 injured and part of a great city destroyed. A less likely city for a race riot would be hard to find. Detroit had "no housing ghetto"; its Negro population was largely prosperous, and its race relations considered excellent.

The recent NBC documentary—in which Daniel P. Moynihan participated—contains a frightening analysis of the riot and the future prospects. Although apparently spontaneous in its inception, militant organized groups took over promptly, supplied the weapons, the Molotov cocktails, and directed the sniping and the arson. This was no revolt of oppressed people against local conditions. It was armed rebellion against American society.

Although the underlying causes are complex and deepseated, America's acceptance of civil disobedience was both a cause and a justification. Mr. Moynihan, former assistant secretary of labor, put it this way:

"We have legitimized opposition to the police and disobedience to law. Now in the North it has become massive opposition to the rules of white society."

The Negro militant viewpoint, gaining increasing support, is that America is "irredeemably racist"; that Negroes should "forget America," and that the only course for Negroes is to bring about a final, violent apocalyptic confrontation of black and white."

The NBC investigating team confirmed that extremists already are planning future violence. Next time, it is said, they will attack and destroy the white sections of Detroit and other cities. As Frank McGee described it:

"These black extremists are willing and

eager to risk a bloody showdown with white society."

Sharing the same pessimism, Roscoe Drummond recently said:

"The black militants and their white associates are irreversibly committed to the destruction of American democratic society to achieve their racist goals."

One may hope that the views of these observers—competent as they are—exaggerate the danger. But none can doubt that America faces a crisis of lawlessness with the gravest potential for disaster.

No man knows all the answers, but to me—as a lawyer—some simple truths are self-evident:

An ordered society governed by the rule of law must be preserved. Without law and order none of the liberties guaranteed by the Constitution can be safeguarded—for whites or blacks, radicals or conservatives. History has demonstrated that once a society condones defiance of law and due process, the liberties of all are lost in the excesses of anarchy which follow.

With these truths in mind, and in our cherished institutions are to be preserved, Americans of good will—of both races—must act together to assure the following:

1. Toleration of civil disobedience and justification of lawlessness must end—in government, in the pulpits, among the media and on the ivory towered campuses.

2. Those who incite riots and rebellion should be treated as the most dangerous of criminals and relentlessly prosecuted. The irresolution of our society is attested by the fact that we hasten to put petty criminals in prison and yet permit the Carmichaels and Browns to remain free. Indeed, some still dignify their criminality by inviting them to speak in our schools and churches.

3. Those who participate in riots and rebellion should also be prosecuted with vigor, particularly the arsonists and the snipers.

4. Criminal laws, at all levels of government, should be reviewed and strengthened to deal specifically with the foregoing crimes in light of present conditions. Penalties should be adequate to deter criminal conduct and justice should be swift and certain.

5. Effective gun control laws should be adopted at state and federal levels; sniping at policemen and firemen should be made special offenses with severe penalties; and possession or use of Molotov cocktails should be serious crimes.

6. Those who incite and participate in nonviolent civil disobedience should also be subjected to criminal sanctions. Where needed, laws should be clarified and strengthened with appropriate penalties provided. This is a more difficult area, as First Amendment freedoms must be carefully safeguarded. But rights of free speech and peaceful assembly do not justify incitement to revolt or the wilful violation of draft laws, income tax laws or court decrees.

7. Laws, especially against those who engage in nonviolent civil disobedience, should be enforced uniformly and promptly. A few draft law violators have been prosecuted but most have been ignored—especially the radical leaders who incite draft evasion. Public authorities have also failed to prosecute the growing number of dissidents who wilfully refuse to pay all of their income taxes. How can officials sworn to uphold the law ignore its wilful violation? In justice, how can a Cassius Clay be sent to jail for draft evasion while prominent self-styled intellectuals who refuse to pay their taxes are allowed to remain free?

8. In summary, America needs to awaken to its peril; it needs to understand that our society and system can be destroyed. Indeed, this can and will happen here unless Americans develop a new impatience with those who incite and perpetrate civil disobedience; unless laws against violence and disorder are

strengthened, and enforced with vigor and impartiality; and unless we return once more to the orderly and democratic processes which alone can preserve our freedoms.

Now, a final caveat. I have spoken as a lawyer, deeply conscious that the rule of law in America is under unprecedented attack. There are, of course, other grave problems and other areas calling for determined and even generous action. The gap between the prosperous middle classes and the genuinely underprivileged—both white and black—must be narrowed. Many mistakes have been made in the past, and there is enough blame for all to share. But we have passed the point where recriminations and bitterness will solve problems.

We must come to grips realistically with the gravest domestic problem of this century. America has the resources, and our people have the compassion and the desire, to provide equal justice, adequate education and job opportunities for all. This, we surely must do.

At the same time, we must avoid the mindless folly of appeasing and even rewarding the extremists who incite or participate in civil disobedience. There must be a clearer understanding that those who preach, practice and condone lawlessness are the enemies of social reform and of freedom itself. In short, the one indispensable prerequisite to all progress is an ordered society governed by the rule of law.

ACCOUNT OF VISIT BY DAVID SCHOENBRUN TO NORTH VIETNAM

Mr. FULBRIGHT. Mr. David Schoenbrun, a distinguished journalist and former correspondent for CBS, recently returned from a 2-week visit to North Vietnam. An account of some of his conversations there with leaders of North Vietnam and the National Liberation Front is contained in four articles published in the Washington Post. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 1, 1967]

VISIT TO HANOI: PEACE TERMS ARE SET

(By David Schoenbrun)

Hanoi's peace terms have been transmitted to Washington many times this past year, through varied channels, both diplomatic and public, according to North Vietnamese Prime Minister Pham Van Dong, in an interview on Sunday Sept. 3, at the Presidential Palace in Hanoi.

The Prime Minister conceded that there had not been any direct messages from Hanoi to Washington but insisted that Washington knew perfectly well why this was so. "Johnson and Rusk keep saying that they'll increase the pressure until they force us to the peace table. Well, you can note this," the Prime Minister said, "we will not make peace under the heel of the aggressor."

"They know what our terms are," the Prime Minister insisted. He cited as one example the statement made on Jan. 28 this year by his Foreign Minister, Nguyen Van Trinh, in an authorized interview with Australian correspondent Wilfred Burdett, well-known sympathizer to their cause. The foreign minister "clearly expressed our readiness to begin negotiations after a cessation of bombing and other aggressive acts against us."

The Prime Minister went on to say that his "allies of the Socialist bloc, and most particularly the Soviet Union, were in regular communication with American officials." His allies are completely familiar with his gov-

ernment's views, the Prime Minister said. "Can Washington truly state that it does not know exactly what our policy is?" he asked.

"Washington has never made a sincere offer of peace," the North Vietnamese chief of government charged. "Whenever they carried out a so-called peace offensive, they also intensified their aggression, both in the North and in the South of our country."

His face hardened as he snapped out the words. "It is criminal to deceive people this way. Peace is not a game of politics. Peace is the profound aspiration of all peoples. I am sure that your American people want peace, too. But we will not sell our fundamental right to independence for peace. Independence and national unity are sacred to us. I would have thought that the American people would appreciate this."

"The initiative for peace talk must come from Washington," he said, slowly and emphatically, underlining the "must" with the tone of his voice. To make absolutely sure this was understood, he added: "This is categorical."

The Prime Minister, still speaking slowly and deliberately so that word for word notes could be taken down then said solemnly: "There will be no reciprocity for the cessation of bombing and other acts of war. There will be no bargaining. There will be no blackmail and no ransom will be paid."

In answer to a question calling for a reply to Secretary of State Dean Rusk's oft-repeated challenge, "What will they do if we stop bombing," the Prime Minister curtly stated: "We have been attacked in a most unjust manner. The United States is guilty of aggression against our country. Therefore, the United States must make the gesture required by the circumstances, that is unconditional cessation of the bombing. He indicated dismissal of the subject with a wave of his hand. "Otherwise, it's of no use to talk about this."

In answer to question on what the possible nature and agenda of peace talks might be, if they could come about Prime Minister Pham Van Dong replied:

"This is not a complicated issue. Indeed, the issue is really very simple. If Washington stops its aggression and accepts the reality that it cannot dominate Vietnam, that it cannot set up a puppet regime, if Washington genuinely desires peace, the peace can come about very rapidly."

The Prime Minister then recommended that his speech of Aug. 30, celebrating the anniversary of independence, be read carefully particularly his summary of the terms of a final settlement:

First, an unconditional cessation of bombing and all other acts of war.

Second, recognition of the National Liberation Front as the "only authentic representative" of the South Vietnamese people.

Third, the withdrawal of all American and "satellite" troops from South Vietnam.

Finally, the Vietnamese will settle their own affairs. "There is no other way," he asserted.

At one point he smiled (a man of normally good humor, he smiled very little in the course of this interview) and said: "As our beloved comrade President Ho Chi Minh has often said, 'We will strew the path of your departure with flowers.' We do not seek to humiliate the American people. But you must understand that our country is one, our people one people, with the same culture, history, language and aspirations to unite and independence. To think that Vietnam can be divided is a mad illusion. To think we can be conquered and dominated is a grave misunderstanding of our thousands of years of history in which we drove off every would-be conqueror."

The Prime Minister insisted that the way to peace must follow two paths, one that can be opened up to Hanoi by unconditional cessation of bombing, the other leading to peace

in the South by recognition of and direct talks with the National Liberation Front.

"If America wants peace in the South it must talk with the Front," he said. "Neither we nor our brothers of the Front will deal with your puppets Thieu and Ky. The so-called elections you've just held are a low comedy. The recently adopted political program of the Front expresses the aspirations of the South Vietnamese people. As for us, we completely endorse the NLF program and will do anything we can to support it."

His remarks about supporting the Front prompted a question about just how many troops and supplies he was sending south. This almost led to the end of the interview.

In a burst of anger, the Prime Minister's face darkened, his jaws closed tight and the muscles twitched under his skin. "I don't have to account for my actions to you or to anybody," he snapped. After a brief, tense silence, I replied that my question was, in my view, proper for a reporter to ask and that I had meant no offense in asking it. If he did not wish to pursue the subject, I would move on to another area. "Move on, then," he ordered.

[From the Washington Post, Oct. 2, 1967]

NORTH VIETNAM INSISTS ON RECOGNITION AND PEACE ROLE FOR LIBERATION FRONT

(By David Schoenbrun)

The Prime Minister of North Vietnam, Pham Van Dong was his country's Chief of Delegation to the Geneva Peace Conference that ended the French-Indochinese War in 1954, and his current attitudes toward peace talks are vitally affected by what happened to the Geneva accords which he had personally negotiated.

The Geneva agreements were violated by the United States. They were torn to shreds, he said bitterly in the course of an interview at the Presidential Palace in Hanoi.

The Geneva accords provided for the independence, unity, sovereignty and territorial integrity of Vietnam.

The Prime Minister gave one significant hint about an obstacle to a new Geneva Conference when he pointed out that "much has changed since 1954. The French are no longer in the South, the Americans are there. Bao Dai, the Emperor at the time of Geneva, was deposed by Diem. The French puppet 'State of Vietnam' has been replaced by the American puppet regime of Saigon. As for the National Liberation Front, the only authentic representative of the South Vietnamese people, it did not exist in 1954. It came into being as a result of the violation of the Geneva accords."

He insisted that nothing could be discussed or accomplished in respect to peace without recognition of, and direct talks with, the National Liberation Front. He expressed his admiration for the Front and said "I want to say that the North of our country has been defended by the South. We know that, if the South had faltered, the Americans were planning to invade the North. Diem's regime had a slogan, 'The March To The North', but our brothers in the South would not let them carry out their criminal plans. Now the South (that is, the Front) is so strong that it strikes terrible blows against American and satellite troops to avenge Hanoi every time the bombers hit our city."

The war has forged tighter links between North and South, he asserted. "We will be reunited when the war is over and the foreign invaders are no longer on our soil." He asserted that he had "no special plan in mind on just how and how fast reunification will take place."

During the course of the interview, a free-running conversation, notes were taken for the Prime Minister by two of his aides: Ngo Dien, chief of press of the Foreign Ministry, and Vu Trong Kinh, of the State Commission for Cultural Relations with Foreigners,

who had been assigned to me as interpreter and escort officer for my reporting tour. On my side, notes were taken by my wife and myself. It was agreed that I would draft, from my notes, my version of the interview and that I would then check out the quotes with Ngo Dien to be sure that we had an accurate, agreed version.

Our meeting the next day produced some surprising and significant revelations of their frame of mind and attitudes on the issue of peace talks. There was no dispute about any of the quotations, except for mutual attempts to get the precisely correct English equivalent of a number of French terms. But there were spirited arguments about certain excisions that Ngo Dien demanded, and, most importantly, a long dispute about the way I had edited my draft of the talk.

"You lead your cable to America with the Prime Minister's remarks about our peace terms, and we don't think you should do this," Ngo Dien said for his opening remarks at our meeting.

"I'm not trying to tell you how to write your story," Dien protested, "but you ought to present to the American people an accurate reflection of the entire talk and it is not accurate to lead with peace. You make it look as though the Prime Minister put his major emphasis on peace talks and took the initiative to tell you his peace terms. This is not correct. He began his talks with you by telling of our war effort, of our determination to resist American aggression. He placed his major emphasis on our refusal to be pressured or beaten down by bombing. What he said about peace came late in the talk and only in reply to your prodding him on the question. If you are an honest journalist, you will write your story accordingly."

He finally agreed that I could leave my report as written with peace in the lead, on condition that I add a new second paragraph with this key sentence: "This clarification of peace talks by the Prime Minister came after a detailed exposition and analysis of the current situation, in which the Prime Minister stressed the criminal character of the recent escalation and the determination of his people to fight and overcome the American aggression."

He told me that he was prepared to recommend this version to the Prime Minister but that I was not to file my cable until I had final confirmation. He made it clear beyond doubt, as had every official I had talked to for the entire two weeks that their line was hard and unbending. They wanted peace and were ready to talk, as soon as possible after bombing had stopped unconditionally. But, while the bombing was being escalated, while bombs were that very week falling in the heart of Hanoi, they did not even want to talk about talks. They were fiercely determined not to give the slightest sign that they could be pressured into talks.

"We'll talk," Kinh of the Cultural Commission told me, "when President Johnson stops sending his peace invitations by bomber."

[From the Washington Post, Oct. 3, 1967]
NATIONAL LIBERATION FRONT INSISTS ONLY IT CAN HOLD PEACE TALKS

(By David Schoenbrun)

"If America stops bombing the North, Washington will be able to talk to Hanoi, but that will have no effect on the war in the South. If you want peace in the South, then you must talk with the Front there for it is the Front that is fighting in the South, and you can't end a war except by dealing with the men fighting it."

The speaker, a short, stocky, muscular man in his late forties, was the permanent representative of the National Liberation Front in Hanoi; Nguyen Van Tien, once a teacher of mathematics in a high school in

South Vietnam, but for the past 15 years one of the leaders of the independence movement fighting against the French and the Americans.

Nguyen Van Tien insisted that a cessation of bombing in the North was a "step in the right direction towards the path of peace," but would not in itself bring about talks with the National Liberation Front. "You must understand that talks with Hanoi are not the same thing as talks with the Front," he stated. "Hanoi is our older brother, not our father. We are equal members of the same family and will one day be reunited when the foreign invader is chased from our soil. Now and for the foreseeable future, we are separate and independent brothers and Washington must accept this truth and act in consequence of it. Or the war will go on."

NOTHING TO DISCUSS

In answer to questions seeking a clear statement of the Front's peace terms, Tien asserted that no official policy had yet been drafted by the Central Committee of the Front because "there is no sign that America genuinely wants peace, so there's really nothing to discuss."

Some of the necessary "preconditions" to peace talks are obvious, he said: First, Washington must stop referring to the Front as some kind of appendage of Hanoi, and recognize the Front as "the sole genuine (in French 'authentique') representative of the South Vietnamese people"; secondly, there must be a cessation of bombing and cease-fire in the South; thirdly, there must be direct talks between America and the Front, and not through "the ventriloquist dummies" of Saigon.

Tien insisted that these "preconditions" were not part of an "official policy program," which must await a Central Committee and Presidium decision, but that "speaking personally, I feel these are minimum conditions for an approach to a political settlement."

As for the ultimate objective of peace talks, he said bluntly: "The only true peace terms to negotiate are the details and timetable of an American withdrawal of its own and its foreign satellite troops from the South." Although he insisted that on this point he was "speaking personally," in the absence of a Presidium decision, he left no doubt that his personal opinion reflected the thinking of the top Front leadership.

INTERVIEW IN CAMBODIA

Similar expressions, in almost the same words, were made in an interview earlier in Phnom Penh, Cambodia, with the Front representative there, Nguyen Van Hieu, who, until he came out of the underground in June to open the Front "embassy," had been a member of the Presidium.

Both Hieu and Tien asserted that talks could be held without a prior withdrawal of American forces. But they both said that any agreements reached at peace talks must be accompanied by a declaration that American forces will be withdrawn, and no agreements will be implemented, no steps will actually be taken, until that withdrawal is very far advanced if not totally completed.

The Front representatives, and all Hanoi officials, too, frankly state that they have been "traumatized" by the history of agreements made in the past, with the French at the Fontainebleau Conference of 1946 and again with the French and then the Americans at Geneva in 1954.

Tien said: "Every time we Vietnamese made an agreement to cooperate peacefully, as an independent and sovereign nation, recognized as such, our independence and sovereignty were then violated by brutal aggressions, such as the Haiphong massacre in November 1946, by the French Navy, and then the American intervention after the Geneva accords."

HELD AT "EMBASSY"

The interview was held at the Front's "embassy" in Hanoi.

"We have the strength and the capacity to fight on and to win," the Front spokesman said. "The United States will lose heart for his struggle before we will, and the puppet regime in Saigon is doomed. There have been more than a half-dozen shifts in Saigon since the murder of Diem, and the Thieu-Ky gang will go like the others. Time is on our side, as nationalism increases in Saigon and war-weariness in the United States."

The Front does not demand to be recognized as the government. It only insists that elections be held, free of any influence by foreign forces. It does not say how the elections are to be supervised, but Tien said, "not by any foreign power."

The Front spokesman charged: "The fact that Washington repeatedly ignores every signal sent it, that Washington officials constantly make proposals they know have already been rejected, that they pretend they want direct answers from Hanoi rather than from our friends, all this indicates to us that Washington is not seriously seeking peace. Its peace offensives are only designed to mollify its own critical citizens."

WE WILL NOT CHANGE

"We expect, therefore, that the war will go on, until something changes in Washington and in Saigon. You can be sure that we of the Front will not change or crack. We will fight until we win the right to free elections and an independent government without foreign influence of any kind."

"Until that day arrives, the Front," he said, "is the sole genuine representative of the people in the South. We have a Presidium emanating from our basic Central Committee of 49 members. Four of those members are in the Saigon region, organizing, recruiting, preparing for the day of liberation."

[From the Washington Post, Oct. 4, 1967]

HO, DEAN OF WORLD'S RED LEADERS, SOUGHT FRIENDSHIP OF UNITED STATES IN 1945

(By David Schoenbrun)

Nguyen Ai Quoc has been an international revolutionary for more than a half century. He is known under a dozen aliases to the police of Peking, Moscow, Paris, London and New York. He sent petitions to President Wilson at Versailles and to President Roosevelt at Yalta. He has fought against and alongside General de Gaulle. He is a contemporary of Lenin and Trotsky and worked with Borodin in China when Mao Tse-tung was still an obscure seed in the grain of Chinese communism. He is the dean of world Communist leaders in power today. The world now knows him by the alias he finally adopted as his official name: Ho Chi Minh, President of the Democratic Republic of Vietnam, at age 77, the oldest Communist leader in the world today.

Ho Chi Minh stepped out of the wings onto the stage of world affairs in August, 1945. With his longtime disciples, his right and left hands, Pham Van Dong and Vo Nguyen Giap, he had organized an underground patriotic movement against the Japanese and their collaborators of the French Vichy regime who ruled Indochina for their Tokyo masters.

He had worked in the underground with American military, naval and intelligence agents and was making his bid for American support of his revolution. He is still convinced today that if Roosevelt had lived through his term, France would never have dared the reconquest of Indochina and that Vietnam would have become a distant but warm friend of the United States. He told me so at length at dinner in my home one night in Paris, in September 1946 at the end of the aborted Fontainebleau conference. He

said he had tried hard to get an invitation, even just a visa to Washington, so that he could put his case directly to Truman, but that he had received no answer.

Twenty-one years, almost to the day, elapsed before I saw Ho Chi Minh again, in Hanoi on the night of Aug. 30, 1967. His beard and hair were snow-white, his shoulders hunched, his body so frail that even his very small white cotton blouse hung loosely on him. He seemed in good health.

I had obtained my visa to Hanoi by writing directly to Ho, reminding him of the young American reporter in Paris, asking him whether he would now let me visit his country. When I got to Phnom Penh, Cambodia, the only place through which a Westerner can get to Hanoi, visas were waiting for me and my wife.

My wife and I were sure, therefore, that Ho would return our dinner party courtesy and that we would have a long talk with him. But we did not. We saw Ho only briefly on the night of Aug. 30, on the occasion of the anniversary celebration of the revolution. There was no talk and no dinner given by Ho. Instead he named his Minister of External Commerce, Phan Anh, to give the dinner for us because Phan Anh had been his young aide-de-camp in Paris and had accompanied him to the dinner in my house.

As for Ho himself, I was told by Phan Anh, by several other officials, and finally by the Prime Minister: "Our comrade Ho is tired. At his age he cannot resist the terrible summer heat of Hanoi, and the frequent air alarms. His doctor has ordered him to rest in the coolness of the mountains." He has not been seen in private for any substantive talks by any foreigner since April, as far as can be determined.

The hierarchical structure of the Hanoi state puts Ho at the summit, as President of the Republic and General Chairman of the Lao Dong (Worker's Party). Number two is an ancient venerable, of no political importance, Vice President to Ho, a useful symbol of the Oriental veneration of elders. Number three is a man to be reckoned with as power passes on from aging Ho. He has climbed up in the movement through one of the principal chains of command, the Communist Party. His name is Truong Chinh, and he is now the Permanent President of the National Assembly, after having been Chairman of the Lao Dong.

Truong Chinh worked mainly in clandestinity and does not have the world experience or Western training of such leaders as Ham Van Dong or Vo Nguyen Giap. He is sometimes referred to by specialists as a leader of the "Pro-Chinese" faction in Hanoi, but this is highly unreliable speculation. What is more to the point is the fact that by training, education, culture and experience he is China-oriented rather than pro-Chinese. Almost every Vietnamese, by cultural heritage, is basically anti-Chinese. China exercised suzerainty and for long periods dominated completely its small neighbor to the South.

Truong Chinh looked for a moment as a probable successor to Ho Chi Minh when he took over the Lao Dong. But he committed a grave, costly error that cost him party leadership. It was Chinh who conceived and executed—badly—the "Agrarian Reform" that provoked the peasant revolt of 1956. He carried out collectivization of agriculture with a heavy hand, and without regard for the precedents of disaster in Russia and China. There was fighting throughout the countryside as peasants attacked Communist agents and the army struck back.

But Chinh was not disgraced or broken. He was given a new post as Parliamentary President, number three in the hierarchy. He remains, however, one of the top ten leaders and has been carefully mending his fences in the party.

Number four in the hierarchy, and the effectively functioning number one today, is

Pham Van Dong, the Prime Minister. He is Ho's most trusted, most able disciple. He accompanied Ho to Paris for the Fontainebleau conference of '46, scheduled to work out the agreements of March 6 granting Vietnam independence, but actually a stall by the French until they felt strong enough to carry out and sure enough that Washington would not interfere with their real intention of reconquest.

Pham Van Dong still recalls bitterly, "the betrayal of Fontainebleau." He is even more bitter in his memories of the Geneva Conference of 1954, for that time Ho sent him to head up the delegation, and the Geneva accords were to be his monument to peace and independence for his country.

"We had the country won after the victory at Dienbienphu," he recalls, "but we were persuaded to move from the battleground to the ballot boxes. And then the Americans, self-proclaimed champions of free elections, refused to let the elections be held. Even Eisenhower admitted we would have won fairly and freely."

Pham Van Dong has long worked in tandem with Vo Nguyen Giap, Minister of National Defense, conquering general of the historic battle of Dienbienphu. Through Pham Van Dong and Giap the government and the army are united. They work closely together in the Central Committee of the party. But the future control of the party is not clear, for Ho has kept party leadership so far for himself, and it is not clear who, if anyone, has been deputized to carry on while he is resting in the mountains.

There is no reason to believe or to disbelieve that there is a struggle for control of the party, other than the historical precedent in many countries that points to control of the Communist Party apparatus as one of the principal if not the main levers of ultimate leadership. There simply is not yet enough reliable evidence to know.

There is, however, considerable evidence, in the statements of the leaders and in the indoctrination of the people that North Vietnam is geared to a long war. There is no clear sign as yet of any willingness to settle for less than an American withdrawal. There is no sign of compromise, no acceptance of American challenges to send direct messages to Washington.

As of now, Hanoi and Washington are further apart than ever with no meeting of the twain in sight.

FUTURE SOCIAL DEVELOPMENT

Mr. MONDALE. Mr. President, a paper on social planning, delivered at the 80th annual meeting of the American Institute of Certified Public Accountants on September 27 by Mr. Joseph M. Goldsen, a staff member of the Rand Corp., has come to my attention.

The paper, entitled "Thinking About Future Social Development," represents a constructive exploration of the "future inventing" movement now widely discussed in both the public and private sectors of our society. Mr. Goldsen views future planning as a legitimate and indispensable responsibility not only of public officials but of all informed citizens as well.

Future planning—

He asserts—

is the process of goal clarification, of values to be sought and the assessment of means appropriate to such ends.

Mr. Goldsen also contends that sensible attempts at rational social development are required of every thoughtful citizen.

In his paper, Mr. Goldsen comments briefly on the Full Opportunity and Social Accounting Act—S. 843—on which hearings have recently been completed in the Government Research Subcommittee. His remarks summarize the intent of that legislation very effectively, I believe.

I commend Mr. Goldsen for the excellent contribution he has made to the intensifying effort to plan as best we can for tomorrow's world. He attempts to draw together the traditional American emphasis on personal planning and the possibilities of societywide planning to assure the attainment of well-defined social goals. His remarks are particularly significant, I believe.

Mr. President, I ask unanimous consent that Mr. Goldsen's paper be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THINKING ABOUT FUTURE SOCIAL DEVELOPMENT

(By Joseph M. Goldsen¹)

Your theme for this morning is "What Can We Expect?—Prospects in Science and Prospects in Social Development." My instructions were "to give the audience a studied view of possible social and economic developments which will, inevitably, have impact upon the financial and other entities which CPAs serve."

Despite the fact that I work at The Rand Corporation, that I have written about the social and political implications of new science and technology, that by coincidence I live on a street called Oracle Place and that we inherited a dog already named Cassandra—despite all that—I shall not give you a long list of prophecies, forecasts, predictions or guesses about the "future" into which you can fit your professional role or to which you might passively try to accommodate yourselves. I hope that my necessarily sketchy remarks will make clear why I have rejected this opportunity to become known to you as a man of "imagination" by startling you with dramatic scenarios of things to come. There are many kinds of projections developed for various purposes by various people. Some are important intellectual tools whose users are aware of the limited purposes to be served by models of future states of affairs. And there is a lot of crystal ball gazing as a means to mobilize public concern, or to shock or to entertain. But there is no time here for a presumably learned critique of forecasting technique.

Instead, I shall offer some thoughts about how to think about the future.

Let's start with the theme developed by Dennis Gabor in his stimulating book *Inventing the Future*:

"The future cannot be predicted, but futures can be invented. It was man's ability to invent which has made human society what it is. The mental processes of inventions are still mysterious. They are rational but not logical, that is to say, not deductive. The first step of the technological or social inventor is to visualize by an act of

¹ Any views expressed in this paper are those of the author. They should not be interpreted as reflecting the views of The Rand Corporation or the official opinion or policy of any of its governmental or private research sponsors. Papers are reproduced by The Rand Corporation as a courtesy to members of its staff.

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imagination a thing or state of things which does not yet exist and which to him appears in some ways desirable. He can then start rationally arguing backwards from the invention and forward from the means at his disposal until a way is found from one to the other."²

I would argue for the following propositions:

1. "The future" is not pre-ordained and therefore it cannot and will not be "discovered" by any individual genius or massive Manhattan District research project. If "it" were knowable or became known in that sense, our whole conception of human life would be fantastically different and incomprehensible to us sitting here.

2. On the other hand, the future is not a blank void within which anything and everything is equally possible or likely.

3. The future, like the past and the present, is essentially man-made. There is a physical world and there is nature but even these are being deliberately and inadvertently subjected to human management—and mismanagement.

4. What man does, what he dreams, what he thinks, what he consciously and unconsciously remembers has constituted the past, accounts for the present and will shape the future. The ability to communicate and to modify his own and other people's behavior based on language, memory and experience are what differentiates us from animals, minerals and vegetables. There are known or knowable connections between our present but changing perceptions of the past, and these reach out with broad continuities into the future.

5. Because of these continuities, it should be easier to describe "the future" in an aggregate sense than it is to predict discrete technological inventions or to predict in the social world sudden discontinuities, abrupt accelerations or declines in rates of change—especially if you also want to specify the dates, the probabilities and the magnitudes.

6. I have talked about "the future" in quotation marks because man is already creating much of it. Much of "it" is here, perhaps in undramatic or in small-scale outline. And what our many futures will be like in 1984 or by the year 2000, depends to a challenging extent on what we make it by design, by action and by inaction. Or to put it another way, to plan better to solve our present problems will make a significant dent on what the future will be like.

7. I don't believe that there is necessarily or need be a fundamental conflict or contradiction between our democratic and humanistic values and "inventing" our futures. This depends on the kind of future goals we want to achieve. As we shall see later, the choice of goals, the values we seek to enhance and the means to such ends are difficult to decide. In fact the process of goal clarification, of the values to be sought and the assessment of means appropriate to such ends is what inventing the future is, or should be, all about. That is what the task is if we are not fatalists.

I would view as fatalists those who are superoptimists—those who think that the lesser the amount of planning the greater the odds for the system to produce optimal results. And there are also the fatalistic pessimists who are convinced that mankind doesn't have what it takes and that all of his efforts at self-betterment are illusory and doomed to disappointment if not extinction. I'm not sure how to classify the man who says he is an optimist because he believes the future is uncertain.

8. Finally, I believe that an effort to solve presently visible future problems is worthwhile in itself, even if in fact those efforts don't result in the hoped for solution. In fact,

it would be most unlikely that the results will ever turn out without surprises, but my contention is that the exercise of planning for the future will compel us to acquire better knowledge about present problems and how to cope with them.

In the past ten years several dozen scholarly institutes and centers have been created, here and abroad, which claim the future as their focus. By now almost every large business, government agency and professional society, including your own, has a long range planning group.

Why this interest in the future—and not just interest in it but anxiety about it?

I think it mirrors the shaken confidence of the capitalist world, particularly in the United States, in the inevitability of progress as it has defined the term since the period of the Enlightenment and the Industrial Revolution. In America, to oversimplify it, we had confidence that the basic rules of the game provided a structure within which all would work out for the best. The main requirement was to minimize the planning function of free government, and to protect free market mechanisms and decentralized instructions.

The impressive record of stable government under the social invention called the U.S. Constitution and the success of the U.S. economic system built upon the virtues and values of the Christian ethic, seemed to justify strong faith that all would work out for the best in this the best country if not the best of all possible worlds. The hostility to social planning for the future, at least as an emotional attitude if not in practice, was and to some extent still is testimony to the faith in a benevolent future if we don't tamper too much with the present.

At the same time, Americans have another strong set of beliefs: your individual future is what you want to make it and what you plan to make it. The absence of a feudal history; the role of the frontier and a richly endowed continent to populate and develop; the freedoms assured by our political, legal and economic systems; the absence of fixed class and caste lines—all made for a faith in individual planning: pick your future, study and work, evaluate your choices and decisions in terms of their pragmatic effect in moving you to your goal—and your chance of achieving it is very good. And in fact if each person plans well for achieving his self-chosen private future, society itself would benefit and progress achieved. But keep the planning to the immediate self or to one's immediate family, group or business. If the planning is done by large institutions—large corporations, or unions or government bodies, that's bad.

But many things happened in the past fifty years to shake national confidence in the semi-automatic yet self-propelled road to progress, success, happiness: the succession of world wars and lesser wars since 1914, the great depression and the anxiety about the economy even when booming were primary faith shakers. Public opinion, despite vigorous opposition, turned to larger institutions to manage things more directly—to preserve peace to insure domestic tranquillity and to regulate the economy—hopefully to create or re-establish an environment which would still foster the real engines of progress—the individual pursuit of personal goals.

My thesis is not that the trend toward what I'll call social planning to distinguish personal and individual planning, has been necessarily good or bad, well done or poorly done—but first to establish that this country has lived from the beginning in a social environment where at the same time planning has been both active and accepted (an anti-fatalist view at the individual or selective group level), and opposed for larger political, economic and social institutions, with a fatalistic certitude that only individual planning will ensure progress.

How does all this square with current interest in "The Future," including the inclusion on the program of this professional society of a half day session devoted to anticipating the future?

As with many other groups and individuals, your confidence has in fact been shaken that all that you do in a short time perspective—day by day or even year by year—will automatically or necessarily be for the best ten or 25 years from now. You probably feel, as does any progress-striving group, that if only you could get a pretty good preview of the future, you could do a better job here and now in achieving your present set of goals for progress and success at a later date. In principle that is fine. In fact, there are many pitfalls—depending on how you conceive of the problem of forecasting, prediction, provision, foresight, planning and purposes. And all of us are aware that our private pursuits are now more closely linked to larger segments of society—not just to family, business or profession, but to the city, the country, the world.

Anyone's preview inventory of America's future social environment probably would resemble an inventory of our current concerns. What we do about them now or fail to do, mainly will determine how these issues will characterize what the next generation will experience as its present. I say "mainly determine" because there is always a probability that some currently unforeseeable developments will occur with some startling and abrupt consequence. But such discontinuities are as unpredictable as is a "break-through" in a field of science.

What are some of the problem issues which integrally link the present to the future?

My check-list includes at least these gross categories, each of which splinters into innumerable specifics yet all of which interact in most complex and imperfectly understood ways.

World peace and international relations. Economic growth and stability.

Population: growth rates, composition, geography.

Government operation and organization at all levels.

Technological change: including problem-solving "systems" along with the hardware.

Economic organization: the role of the corporation, private business large and small, Uncle Sam as largest customer, organized labor, the work force, automation, economic growth and stability.

Urban affairs: pollution, transportation, race relations, ghettos, delinquency, crime, drugs.

General welfare: physical and mental health, leisure, education, information.

"Quality of life": the family and the generations, the sense of personal responsibility and conscience, implicit ethical norms, respect for self and for others, the dimensions of privacy.

Obviously I cannot review here the present state of knowledge on any of these areas or extrapolate from such knowledge into the future or suggest preferred "solutions." But I shall offer a few observations of general pertinence to them all.

Better understanding of current conditions entails many things.

A first requirement is better diagnosis. This requires in the longer run a more rapid development of the social sciences and social scientists, including such practitioners as lawyers, public officials and administrators. It means not only specialists but also more and better generalists who by training and diversified experience develop insight into the many interconnections between the proliferating specialists and specialties.

This need for better diagnosis is getting increased attention, not only in the universities where it is a central, centuries-old tradition, but in government and business as well. What is new is an updating of data, a

² Dennis Gabor, *Inventing the Future*, New York 1964, pp. 207-208.

search for hitherto neglected aspects of the problem, refinements in analytical methods and a closer relation between research, policy and action.

Also there seems to be a heightened awareness by planners and researchers of the dangers of hidden and subtle bias in the way a problem is posed. Such biases may stem from the class, profession or psychological background of the analyst and express itself not only in formulation of the problem but in research design, or in the lumping together of seemingly similar factors which in fact conceal important interrelations. There is more awareness today I believe among planners that value preferences need to be laid bare and implicit assumptions be disclosed. One of the most difficult tasks in planning for future development is not only to establish the present preferences, value systems and objectives of differential groups but to understand how these may change and to allow for the likelihood that what we think is wanted or desired today may not in fact be so preferred in the future.

As an example, take the history of many urban renewal and slum clearance programs. Obviously they have not provided better housing for the slum-dweller nor have slum-dwellers who were reinstalled in more hygienic low cost housing projects been unambivalently happy about it. Why? Because left out of the physical rehabilitation was a human conception of what mattered greatly to the people—a sense of neighborhood, a community of easy social contact, a place of life as well as a place to live.

Or take many of the badly understood dimensions of the negro-white problem despite a vast body of important sociological research during the past half-century. It is often believed that discrimination and job opportunities for negroes are most troublesome for the unskilled and those who are high school dropouts. A more careful gathering and analysis of statistical data now suggests that employment difficulties are relatively greater for negroes who are high school graduates and who have had some college education.³ This seemingly simple re-analysis suggests some modification in current programs, and their "target" choices, and thus in efforts to ameliorate some future problems.

Probably all of you have heard in recent years of "systems analysis" and PPBS: Program Planning Budgeting System as developed by my colleagues at The Rand Corporation, by other researchers, introduced in the Department of Defense in 1961 and by direction of the President two years ago to be employed by all federal agencies in managing and planning their future operations.⁴ There is little doubt that the extension of PPBS will of itself have considerable effect on future ways of solving problems, managing organizations and intensifying the trend toward social planning—all of this with what is essentially an old common-sensical idea.

The essence of PPBS, although complex in the doing, is simple: to relate the resources one plans to expend to the accomplishments

or outcomes of that expenditure. Or to put it another way, it is a way of systematically weighing my choices in advance by thinking through alternative goals, objectives and programs, in relation to the comparative benefits from alternative paths to such goals—and in relation to realistically estimated costs associated with each.

In social development, "costs" and "benefits" are not adequately measured by such manageable criteria as dollars or units of output. If there is a future for such planning strategies, several intellectual problems have to be solved.

The first I have alluded to: the need for far more detailed understanding of what a given organization, agency or social problem now consists of, what is it, how did it get that way, what preferences, purposes, goals is it advancing or inhibiting. Where dollar profits and losses are not the pay-off, such as what constitutes decent health and social welfare of the aged, it is incredibly difficult to relate dollars expended to results achieved, and thus, to relate sensibly means to ends.

Many of our major national and local efforts proceed, in great earnestness and sincerity, knowing neither what the programs are expected to accomplish, especially for the intended beneficiaries, nor how to evaluate the consequences in order to modify programs, or goals, or both. Witness the frustration of Detroit and New Haven, to name but two battlegrounds of 1967. Housing projects, slum clearance, job training programs, community participation roles shared by negroes—all presumably have been tried, but the ghettos erupted nonetheless. In fact, have such programs failed because, like Christianity, they were in fact too little tried? Or do such programs make utterly erroneous assumptions about the deeper psychological, social and political values and attitudes of lower class negroes? Who really knows? I daresay that the gap in communication is enormous between slum-roots negro and social agencies. The lack of match is cavernous between the values and deep inner needs of slum negroes and how these are perceived by whites who are truly eager to promote social development and who do the planning. And apparently even those negroes who have made it by the standards of successful middle class America are out of touch with the seething resentments of the ghetto masses.

I don't know for certain, but I have a hunch that the leaders of "black power," whatever their private motives, have come closer to the jugular: the craving of a down-trodden minority for self-respect built upon self-accomplishment. However demagogic the language or platforms of "black power," it does seem to have a better insight into the need to repair the damaged sense of self-esteem among many negroes than do the well-meaning conscience-stricken and necessarily paternalistic white Establishments. Until our national and local programs better understand and take into account the emotional make-up and value systems of the urban negro, we won't make much direct headway in reducing the problems of race for the future.

The inadequacy of basic social data and the need for more sophisticated analyses of it has become recognized increasingly not just by scholars but by those trying to change the present to make a better future. The realization is growing that the preferred American style of act first, think second, may not quite suffice in solving big problems for the future. Dozens of programs have been hastily planned, budgeted and adopted in recent years. I do not in this context challenge their purposes nor their need. Many were long and shamefully overdue. But we come to the reckoning. Doubt has grown whether their purposes were adequately defined and consonant with the means established for their accomplishment. I say

"doubt" because we don't adequately know what has been achieved, for whom, at what human and other costs with what longer-term implications.

A bill is pending before the Senate, introduced by Senator Walter Mondale of Minnesota, to develop the kinds of data needed for more rational social development and planning by the decision-makers, private as well as public, at federal, state and local community levels. The proposal is to have a counterpart to the President's Council of Economic Advisors which reports on economic developments—a Council of Social Advisors, who will reorganize and develop information systems labeled "Social Indicators" from which reports on the social health of the country can be prepared. Social audits and social accounting are visible needs and in principle represent concepts analogous to your own professional auditing functions. I need not detail the innumerable issues of method and quality which will plague the field of social auditing. There will be good and poorly conceived and performed audits as there are in financial accounting operations, but I am sure that the scale of such ventures in applied social science will be vastly increased over past and present efforts. Hopefully, a better social knowledge will further social development at least in two ways:

To identify things we are now doing which upon awareness we decide we ought to stop doing in order to survive, or to have lives worth living; and

To help think through some of the things we may want to consider doing and to assess in advance the likely consequences of pursuing one or another course of action.

I don't want to leave you with the impression that I have a zealot's faith in science—that science or social science can save us, if given the resources. Nor do I minimize for the future as I do not do for the past the role of chance, of individual impact on social developments, on politics, on cultural accomplishment. In fact, a prime goal for planning, in my view, and a prime criterion for assessing its quality, is the extent to which individual differences and opportunities are nurtured, pluralism of ideas and institutions are fostered and opportunities for self-chosen paths of fulfillment are widened. In short, freedom and future planning can and should be mutually supporting.

I don't expect the future necessarily to have any less tension than has been part of our past. No dynamic society is tension- or trouble-free. Only static societies think they are calm, but they too have their outlets in suicide, alcoholism and other ways. I think we shall find, as we already can see, that economic affluence alone is not a "cure." To work on a larger scale to remedy social ills also creates heightened expectations which rarely are met. There will be less tolerance of traditional authority in the family, in the larger community, in the hereafter. The sense of what constitutes a fair share of income, health, education, respect and political power will be perhaps even more controversial than at present. And the resulting tensions will themselves be part of the problem and the efforts at solution. The changers and the resisters of change will have new battlegrounds over new issues and new ideas and these need to be reflected among the costs and benefits in construction of social balance sheets.

Let me conclude by briefly mentioning a few things I would urge you to do apart from perhaps pondering what has already been said. There are things you can do in your role as citizen and as responsible policy advisors.

First, don't sit on your *status quo* by leaving social development to those whose job description so prescribes.

Don't just moan and groan about those bureaucrats, those professors, those politicians. Their problems are yours, and more yours than the mass population's.

³For an excellent discussion of this and other problems in statistical analysis and interpretation, see "Discrimination Against Negroes," by Otis Dudley Duncan, in *The Annals of the American Academy of Political and Social Science*, May 1967, pp. 85-103. This issue is devoted to "Social Goals and Indicators for American Society." For a comprehensive discussion of many aspects of "the future," see the Summer 1967 issue of *Daedalus—Journal of the American Academy of Arts and Sciences*, entitled "Toward the Year 2000: Work in Progress."

⁴For a description of PPBS and its problems, see *Program Budgeting: Program Analysis and the Federal Budget*, D. Novick, ed., A Rand Corporation Study, Harvard University Press, 1965.

Don't underestimate either your potential influence, affluence or intelligence by taking your marbles out of the game.

No one has a monopoly on ideas, least of all people in government. I should think that the financial and tax stake that you have in urban America would compel you to make the urban problem a challenge to private business. I should think that you could accumulate the resources to analyze in detail your city's problems and develop combined public-private programs which would pay off in more ways than one.

Let me give an earlier example of one possible approach. Some of you may be members of a remarkably foresighted organization of businessmen who during World War II went about the task, independent of government, of preventing and inventing an important part of their future. They organized the Committee for Economic Development to study the problem of postwar industrial conversion to a peacetime economy. They anticipated the possibilities of depression. They worked along with talented scholars to study these possibilities and to develop policies which would prevent the crises which seemed likely. And they made an important impact on their future.

Some of you in this professional society might right now form a Committee on Social Development—not just a discussion body but a serious working group, teamed up with carefully chosen professional research staffs, to compete with public planning groups in the search for better futures. Surely you have the self-confidence to permit such a Committee for Social Development to function in an objective non-trade association manner and thus to attract outstanding talent, nationally and in regional branches.

For members of the financial accounting community to participate in a serious effort at social accounting would put yourselves into the business of acting constructively on the future instead of nervously trying to anticipate and to adjust to a world you never made. For if too many people of your stature pull out, you and the rest of us will have a marvelous future—behind us.

DEFENSE OF VIETNAM POLICY BY THAILAND FOREIGN MINISTER

Mr. DODD. Mr. President, those in this country and in other parts of the free world who oppose our policy in Vietnam and who clamor for one-sided cessation of the bombing would do well to ponder the fact that the many free nations which are close to the conflict understand our commitment because their own security is immediately involved. They would consider it nothing short of a disaster if the administration were ever to succumb to the voices of appeasement and timidity and despair and withdraw from Vietnam on terms that assure a Communist takeover.

Perhaps the most eloquent statement on this point yet made by an Asian spokesman was the statement of Thailand's distinguished Minister of Foreign Affairs, Mr. Thanat Khoman, before the General Assembly of the United Nations this last Thursday.

Speaking about "wars of liberation," Mr. Thanat said the following:

Let us, smaller and weaker nations, candidly face the facts and realize that the imminent dangers which may descend upon our nations are less likely to come from nuclear deployment—although this can never be ruled out—than from combinations of military and political ventures which their proponents euphemistically call "wars of national liberation," and which, for all intents

and purposes, are hardly different from the one which Adolf Hitler launched against the Sudetenland nearly thirty years ago. Such undertakings nowadays may be more insidious but no less lethal to our free and healthy existence. They are even more so when accompanied by devious and variegated forms of propaganda which seek not only to deceive and to dupe the less informed among us, but also to incite and inflame pent-up emotions and to exploit old and new prejudices and hatred. In the process of carrying out their designs, various kinds of aid may be resorted to, including the provision of liberal quantities of arms and other materiel of war which encourage the embittered people to throw themselves into battle and exterminate one another.

Mr. Thanat spoke with bitterness of the "campaign of fallacies and aberrations" about the Vietnam war, and with scorn for those "who are always liberal with other people's freedom." Let me quote this passage from his statement in full:

Of no less or perhaps even greater importance is, in our opinion, the question of the war now raging in Vietnam, for it has given rise to such a campaign of fallacies and aberrations, and about which so many people have unfortunately displayed such lack of candour that there has been created an abysmal chasm between realities on the one hand and the falsehoods and half-truths that the perpetrators of the war and their sympathizers have disseminated. North Vietnam and its supporters in the Communist world as well as its Vietcong agents in South Vietnam wanted the outside world to believe that the war of conquest they have been waging for many years against the small and independent country of South Vietnam is a genuine national uprising or, to use their current terminology, a "war of national liberation". This travesty of the truth has convinced neither the South Vietnamese people nor those who live near the scene of the crime and who are directly or otherwise suffering from its nefarious consequences. Only those who are farther away whose minds are less perceptive of the existing realities and those who are always liberal with other people's freedom or are prompted by less than altruistic reasons allow themselves to fall victims of this crude propaganda. But if questions as to what they think of the conflict in Vietnam were directed to those Asians who have their feet firmly on the ground and whose vision has not been clouded by the outlandish ideology of the frustrated author of "Das Kapital", they would reply in unison that it is in effect an old-styled colonial conquest with only a few renovated outward trimmings. . . .

The people in our Asian part of the world are presently amazed at the emergence of negative values and logic. They find it particularly difficult to understand the strong advocacies by some quarters that the aggressors should be appeased and even protected against their crime. Their life and property should not be molested by aerial bombing, while their atrocities in the South and elsewhere evoke hardly any indignation. Thus, for these would-be pacifists and lopsided idealists, the lives of the North Vietnamese and Vietcong attackers seem to have much greater value than the throats and limbs of South Vietnamese and other Asian victims of aggression. That is why they clamour for unilateral and unconditional cessation of bombing, which they contend may bring the aggressive regime of the North in the conference table. It never occurs to them, however, to demand from that regime a positive indication as to what it proposes to do in response to such a gesture. In the meantime, they are acting as spokesman and unauthorized agents of Hanoi while the latter con-

tinues to disdain any prospect of meaningful negotiations except on its own terms. . . .

What smaller nations of the Organization and indeed the whole world should look forward to is less the one-sided cessation of bombing which will allow the aggressor to wreak further havoc but rather the ways and means to ensure that there will be no other Vietnams in the future.

Mr. Thanat also contrasted the fraudulent revolutionary claims of communism with the genuine revolution that is now taking place in the countries of South-east Asia. He said:

Nations in Southeast Asia and in the vast region of Asia and the Pacific have found it necessary to join together in cooperative efforts to bring about greater well-being and progress for our respective peoples. This is our own concept of a revolution in South-east Asia, a revolution which seeks to fill the stomachs with food and the hearts with realizable hopes for the future, and not the one which throws the starving people in the street to commit depredations and desecration.

It is also a revolution to destroy the shackles of past domination and dependency. From now on the nations in the areas will be inspired by the spirit of equal partnership and cooperation for the good of each and all. Such efforts would move more swiftly forward were it not for the disruptive Vietnam war which has retarded the development of fuller independence and mutual self-reliance of the nations in the Asian region. That is why all of them without exception earnestly hope that this senseless conflict can be brought to a just and successful conclusion which will open up a new era of greater stability and progress. If South Vietnam is assured of its freedom, smaller nations of the world can look forward to a more secure independence free from interference and encroachment.

I ask unanimous consent to have printed in the RECORD the full text of Foreign Minister Thanat Khoman's speech of October 5. I hope that Senators will find the time to read it in its entirety.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From the Permanent Mission of Thailand to the United Nations, New York, N.Y.]

STATEMENT BY MR. THANAT KHOMAN, MINISTER OF FOREIGN AFFAIRS, CHAIRMAN OF THE DELEGATION OF THAILAND AT THE 22d SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, OCTOBER 5, 1967

The past few months have been, for the United Nations—and for many of our countries—a trying period. For while disturbances in Asia, particularly the war in Vietnam, go on unabated, the brief but devastating armed conflict which broke out in the Middle East last June added a new dangerous dimension to the already acute state of international tension. Confronted with this explosive situation, this fragile Organization of ours stood, as before the Vietnam problem, almost spell-bound watching helplessly the fast moving episodes of a modern tragedy roll by. Only after the shells and bullets ceased to rain, sowing death and destruction, have efforts for peace begun, mostly in the forms of words—not all of them were measured and constructive. Presently, as this Assembly passed from an emergency session into a regular one, it has on its hands at least two burning problems, any one of which has the potentiality of upsetting the peace of wide regions of the world and the well-being of scores of millions of human beings.

While international problems grow in urgency and acuteness, the capacity of the

United Nations to deal effectively with them appears to develop in inverse proportion. As a result of this seemingly unfortunate situation, like many other representatives of smaller countries which constitute the great majority of membership of this organization and which place their faith and reliance on the United Nations as an instrument to preserve and maintain peace in this world, we have come to this important meeting with our hearts heavy and full of perplexity as to the outcome of our present deliberations.

The question uppermost in our minds is whether this Assembly will follow, as previously, the same road which was marked by endless and useless recriminations and invectives, with little, if any, evidence of serious search for more constructive solutions and more permanent settlement. If that is the case, then the forthcoming discussions which, in all probability will go on for the next two or three months, will be fruitless and will yield no worthwhile result for the future peace of the Middle East and Southeast Asia. All of us shall then return home empty-handed, our hopes and desires to see long-lasting peace and tranquillity reign in this world frustrated and the specter of renewed or more intensified conflict will be looming high and large over the horizon. If, on the contrary, we refuse to be taken in by those who pay only lip-service to peace and who actually try to assume the role of angels of peace but whose wings are strangely blackened by gunsmoke and stained with blood, and if instead, we concentrate our efforts on attaining honourable and durable arrangements which will allow many nations to live together without the risk of being dominated or destroyed, then the prospects for world peace and harmony will become infinitely brighter and more promising.

Let us, smaller and weaker nations, candidly face the facts and realize that the imminent dangers which may descend upon our nations are less likely to come from nuclear deployment—although that can never be ruled out—than from combinations of military and political ventures which their proponents euphemistically call "wars of national liberation," and which, for all intents and purposes, are hardly different from the one which Adolf Hitler launched against the Sudetenland nearly thirty years ago. Such undertakings nowadays may be more insidious but no less lethal to our free and healthy existence. They are even more so when accompanied by devious and variegated forms of propaganda which seek not only to deceive and to dupe the less informed among us, but also to incite and inflame pent-up emotions and to exploit old and new prejudices and hatred. In the process of carrying out their designs, various kinds of aid may be resorted to, including the provision of liberal quantities of arms and other materiel of war which encourage the embittered people to throw themselves into battle and exterminate one another.

The foregoing elements may well constitute the root causes of many tragedies now unfolding in our troubled world. We will have therefore to make strenuous efforts and exercise our wiser judgment to protect ourselves against the lurings of false promises and the exhortations of subtle and treacherous propaganda.

This explains why Thailand is unwilling to take sides in the unfortunate situation in the Middle East which for long years has known neither peace nor reasonable hope for settlement, but which last June exploded into destructive clashes, leaving behind them a long trail of desolation and misery. Even now, the conflict is far from being resolved, embers are smouldering and new conflagrations may erupt if fuel is added to arouse new outbursts of the still highly charged emotions. The best those smaller nations which

have no peace proposals or formulae to offer can do would probably be to refrain from adding fuel to the fire, and also to the best of their ability, prevent possible exploitation of existing dissensions.

Such was the attitude taken by the Thai delegation during the emergency special session of the General Assembly. It was regrettable that practical substantive measures which might help remove the root causes of the conflict were not then adopted. The principal objective of the Thai Government has always been to see long lasting peace and stability in the Middle East. My delegation therefore believes that basic issues should be faced realistically and not left untouched.

The fact that there has been an outbreak of large-scale war three times in the Middle East in the past twelve years is a clear indication of the explosive situation in the area. Yet previous efforts were mainly directed towards making arrangements for bringing about cease-fire and cessation of hostilities without attempting to resolve the fundamental causes which led to such hostilities. Failures of the United Nations so far to face the problem squarely have been, to quote the Secretary-General, "a major contributing factor to the war last June." Is it therefore advisable for us now to try merely to liquidate the consequences of the war without seeking at the same time to create necessary conditions which could ensure better prospects for more lasting peace in the Middle East? Withdrawal of troops from occupied areas, however immediate and imperative, should, in our view, also be accompanied by additional steps which would remove the basic causes of the armed conflict.

In this connection, my delegation regrets the absence of willingness to negotiate either directly between the parties concerned or through the intermediary of a third party. Likewise, my delegation regrets the refusal of the Government of Israel to heed the call of the overwhelming majority of the General Assembly in regard to the status of the city of Jerusalem. Israel's inflexible attitude on this question will adversely affect the overall situation and will set another barrier to the path of finding an honourable, just, and definitive solution to the Middle East question.

While there is yet no Middle East settlement, the problem of refugees remains a serious concern for us all. My delegation is gratified that at the initiative of the Swedish delegation, Resolution 2252 (ES-V) concerning humanitarian assistance to the Middle East was adopted by the fifth special emergency session. The Government of Thailand is pleased to be able to make a modest contribution of rice for the relief of the suffering as a result of the recent hostilities in the Middle East.

Of no less or perhaps even greater importance is, in our opinion, the question of the war now raging in Vietnam, for it has given rise to such a campaign of fallacies and aberrations, and about which so many people have unfortunately displayed such lack of candour that there has been created an abysmal chasm between realities on the one hand and the falsehoods and half-truths that the perpetrators of the war and their sympathizers have disseminated. North Vietnam and its supporters in the Communist world as well as its Vietcong agents in South Vietnam wanted the outside world to believe that the war of conquest they have been waging for many years against the small and independent country of South Vietnam is a genuine national uprising or, to use their current terminology, a "war of national liberation." This travesty of the truth has convinced neither the South Vietnamese people nor those who live near the scene of the crime and who are directly or otherwise suffering from its nefarious consequences. Only those who are farther away whose minds are less perceptive of the exist-

ing realities and those who are always liberal with other people's freedom or are prompted by less than altruistic reasons allow themselves to fall victims of this crude propaganda. But if questions as to what they think of the conflict in Vietnam were directed to those Asians who have their feet firmly on the ground and whose vision has not been clouded by the outlandish ideology of the frustrated author of "Das Kapital," they would reply in unison that it is in effect an old-styled colonial conquest with only a few renovated outward trimmings.

For this so-called sublime liberation with its accompanying paraphernalia is being directed not solely against the Republic of Vietnam but actually against a dozen other countries in Asia and Africa. Also, the liberation is always forcible, never voluntary. Consequently, it invariably elicits strong resistance against the forceful invitation to be liberated and to join the paradise of Marxist bondage.

The people in our Asian part of the world are presently amazed at the emergence of negative values and logic. They find it particularly difficult to understand the strong advocacies by some quarters that the aggressors should be appeased and even protected against their crime. Their life and property should not be molested by aerial bombing, while their atrocities in the South and elsewhere evoke hardly any indignation. Thus, for these would-be pacifists and lopsided idealists, the lives of the North Vietnamese and Vietcong attackers seem to have much greater value than the throats and limbs of South Vietnamese and other Asian victims of aggression. That is why they clamour for unilateral and unconditional cessation of bombing, which they contend may bring the aggressive regime of the North to the conference table. It never occurs to them, however, to demand from that regime a positive indication as to what it proposes to do in response to such a gesture. In the mean time, they are acting as spokesman and unauthorized agents of Hanoi while the latter continues to disdain any prospect of meaningful negotiations except on its own terms. In fact the more the other side shows intransigence and insistence on its unreasonable demands, the more the protagonists of concessions press on with further compromises which ultimately will lead to surrender and delivery of South Vietnam to the North. Indeed, only a few of these advocates have enough courage to admit that South Vietnam is not worth saving but should be handed over to its predators of the North for the sake of temporary peace or even a short-lived truce.

To the millions of suffering people in Asia it seems that the right to call off measures to repel the aggressors such as the bombing of the North should be exercised in consultation with them and not by those apostates of peace who barely suffer at the hands of those cruel enemies of freedom and whose campaign for illusory peace has, twice in a lifetime, led to the tragic disaster of world wars. For those millions of Asians whose life is constantly menaced by the aggressors' guns and terror, the halt in the bombing would gain immediate support and approval if it could lead ultimately to the cessation of hostilities as well as the harrowing reign of terror. Clearly for them the Vietnam war is indeed unpopular, even greatly more unpopular than in Europe or America which enjoys both safety and abundance.

Unlike the Hanoi regime which is unwilling to leave the war-path, they ardently desire to see the war brought to an end provided that in so doing their freedom and independence are not sacrificed, for if peace were to be followed by subjection to alien rule and deprivation of their heritage of liberty, their existence would be without meaning. For them it is deeply painful to watch the agonizing debate stirred up by the

instigators of doubt, of confusion and defeatism, who, masquerading as princes of peace, are in fact undermining and damaging the abiding interests of their own countries as well as those of their friends and allies. With a few more grains of wisdom and perspicacity they should be able to realize that the solution to the war in Vietnam can never be found when the defenders of freedom are divided and disunited but only if the latter succeed in closing their ranks and are determined to carry their gallant task to the end. For the aggressive regime of North Vietnam once had the taste of victory snatched from a divided nation and nothing can dissuade it from thinking that it could repeat the performance if it manages to sow doubts, dissension, and disruption both within and among nations which stand in its way to conquest and domination.

In fact the anatomy of the war in Vietnam can be analysed into various elements. In the first place, hostilities may cease altogether when the aggressors, realizing the hopelessness of their adventure, discontinue their infiltration and intervention against their neighbors. They may be persuaded to adopt this course on finding that the cost of aggression in terms of deterioration of their well-being and even their subsistence is far too high, and on the realization of the fact that it is not possible for them to achieve their objective through the use of subversion and armed intervention. Indeed, those who are eager to see peace restored in Vietnam should join together in convincing the Hanoi regime of the futility of their venture and that the peaceful approach is actually more beneficial.

Another possibility would appear to be negotiated settlement. Such solution presupposes some form of negotiations and above all the sincere willingness on the part of the parties involved to enter into negotiations. This the parties concerned may directly do on their own, but hitherto the negative attitude of Hanoi has precluded the likelihood of such direct discussion. A further alternative is a larger conference arranged by interested Governments for the settlement of this outstanding problem. In particular, the Geneva conference on Indochina may be reconvened to pave the way for a negotiated settlement. The first step in this direction would be for both Co-Chairmen of the Geneva conference to act as true peacemakers by fulfilling their avowed duties as Co-Chairmen and to forsake their role of ideological partners in the conflict. Instead of adding further fuel to the flame by supplying more arms to the aggressors, a Co-Chairman would better serve the cause of peace and at the same time perform his part of the obligations by using his influence to persuade Hanoi, the only unwilling party in this case, to come to the conference table. At any rate, the least that should be done would be to show support for the reconvening of such conference.

In all these possibilities, even when negotiations could be initiated either directly or by an internationally arranged conference, a further step would still be to secure a just and durable settlement of the conflict. To achieve this objective either in the process of negotiation or otherwise, one of the prerequisites to be borne in mind by the free nations is for them to remain constantly united and to show their firm determination. Failure to muster such unity or to show firmness may result in superficial settlement entailing transitory peace which is fraught with no less grave danger to peace and security.

The vicious campaigns now being conducted to breed dissension and disunity among us are not completely devoid of usefulness. They opened our eyes to the vagaries of both international and domestic politics in various countries and spurred us to redouble our regional and individual efforts to

strengthen our security and defense and to rely more and more on combined endeavours of those who share the same stake and have no doubt as to where their vital interests lie.

That explains why nations in Southeast Asia and in the vast region of Asia and the Pacific have found it necessary to join together in co-operative efforts to bring about greater well-being and progress for our respective peoples. This is our own concept of a revolution in Southeast Asia, a revolution which seeks to fill the stomachs with food and the hearts with realizable hopes for the future, and not the one which throws the starving people in the street to commit depredations and desecration.

It is also a revolution to destroy the shackles of past domination and dependency. From now on the nations in the areas will be inspired by the spirit of equal partnership and cooperation for the good of each and all. Such efforts would move more swiftly forward were it not for the disruptive Vietnam war which has retarded the development of fuller independence and mutual self-reliance of the nations in the Asian region. That is why all of them without exception earnestly hope that this senseless conflict can be brought to a just and successful conclusion which will open up a new era of greater stability and progress. If South Vietnam is assured of its freedom, smaller nations of the world can look forward to a more secure independence free from interference and encroachment. What smaller nations of the Organization and indeed the whole world should look forward to is less than the one-sided cessation of bombing which will allow the aggressor to wreak further havoc but rather the ways and means to ensure that there will be no other Vietnams in the future.

Turning to the present economic situation of the world, I may safely say that in recent decades economists and statesmen have grown more convinced than ever that one of the most serious dangers to the future well-being and security of mankind is the slow and steady drift of 75 per cent of humanity into deeper poverty. Unless certain concrete and positive actions can be taken promptly and effectively to arrest this decline, so that the peoples of developing lands of Asia, Africa and Latin-America can proceed with the implementation of their industrialization programme and accelerate their progress towards self-sufficiency and prosperity, no number of treaties, declarations and resolutions will be sufficient to ward off the eventual breakdown of world order.

Many of the distinguished representatives preceding me have emphatically drawn the attention of the Assembly to the increasingly widening gap between the rich and the poor. This is no new phenomenon. Such discouraging trend has existed for some time. And despite past exhortations and pleadings by developing countries and apparent sympathy and gesture of support from industrially advanced countries, the fact is that for the sixth successive year, there has been little or no improvement in the over-all level of development assistance provided by the high income countries. While the needy are grateful to the increased generosity on the part of the latter, these nations' capacity to help are relatively limited. The main burden, of course, falls on the principal aid-supplying nations, whose assistance level, regrettably, have shown only small increases in recent years.

Many governments of developing nations including that of Thailand, have learned to rely on their own efforts, and by means of sound planning and energetic execution of financial and economic policies, have managed to move their countries forward at a fairly satisfactory pace. For the past ten years, Thailand's rate of economic growth has averaged 7 per cent a year. This is no mean achievement and has given a sense of

pride to the government and people of the country. However, the task is only partially done, and our efforts—which provide a major share for our own development—continues to be affected by a shortage of external finance on appropriate terms.

As a primary commodity producing country, Thailand, together with many other countries of similar structure, is deeply concerned with the fluctuations of world prices of primary products. The matter has unfortunately been aggravated further by the periodic releases of stock piles which do much damage to our total efforts and have the effect of slowing down our progress towards better life for our own people. The recent signing of the Final Act of tariff negotiations within the Kennedy Round has provided us with some hope. Although the Kennedy Round negotiations have resulted in a significant lowering of tariff barriers surpassing the reductions made in previous rounds of tariff negotiations, my delegation finds that many products in which the developing countries had focussed their particular interest received an average considerably smaller tariff reductions than did other products. In other words, the product categories for which industrialized countries are the main suppliers received much more extensive cuts. It, therefore, remains my firm belief that much needs to be accomplished before the United Nations Conference on Trade and Development is able to achieve practical results and find adequate solutions. For this reason, the Second Conference to be held in New Delhi should really serve as an effective instrument for a serious quest for solution of the crises—social, economic—which are besetting our world. In this connection, my delegation fully supports the appeals of the Secretary-General of the UNCTAD about the pressing need for agreement on adopting a global strategy for development and the corresponding synchronized practical measures and actions.

We also endorse in principle the proposal made at the Fifth Session of Trade and Development Board of UNCTAD by both the Secretary-General of UNCTAD and Director General of GATT, for a Joint International Trade Centre to help the developing countries in their export promotion efforts. It is our hope that the proposal will be translated into action as early as practicable.

There are still other problems of deep international concern such as disarmament, peace-keeping operations, decolonization and apartheid. In certain fields, progress has been made such as the submission of identical draft proposals on the Treaty for Non-Proliferation of Nuclear Weapons. But all these and other problems are currently being overshadowed by the reality of the danger and by the explosive character of the Middle East and Vietnam problems. Concerning these grave issues, the most urgent requirement seems to be to fill the candour chasm and to set aside the political or ideological partisanship. If indeed they can be dealt with with genuine candour and treated with human tolerance and comprehension rather than being problems between East and West, between the Marxist or Non-Marxist world, the chances for reaching accommodation and agreement will notably increase. So far, such a result is not within reach. But if further efforts may be pursued with persistence and determination, something may be gained which will open up new vistas in the arduous search for a durable and worthwhile solution to the present difficulties. If that can be achieved either within this Organization or outside it, real services will be rendered to the anguished mankind yearning for peace and tranquillity undisturbed by the shadow of terror and the sudden explosion of death. Let us hope that within the relatively short time we spend during this Session, tangible results may be achieved to fulfill the deep desire of millions of human beings.

CONFIRMATION OF JUDGE DAMON J. KEITH

Mr. GRIFFIN, Mr. President, I wish to take this opportunity to commend the Senate for its confirmation today of the nomination of Mr. Damon Keith to be a Federal judge for the eastern district of the State of Michigan.

The respect and esteem in which Mr. Keith is held in the legal community is amply demonstrated by the quality and the caliber of those who traveled from Michigan to testify in his behalf during the Senate Judiciary Committee's hearings on Mr. Keith's nomination.

Not only did the committee hear from the president of the Detroit Bar Association, Mr. John Feikens; the president of the Wolverine Bar Association, Mr. Louis Simmons; and the immediate past president of the Michigan State Bar Association, Mr. William Ellmann, but also from the very distinguished president-elect of the American Bar Association, Mr. William Gossett, who I am very proud to say is from the State of Michigan.

Needless to say, Mr. Keith's nomination had bipartisan support. Both the senior Senator from Michigan [Mr. HART] and I testified before the Judiciary Committee in Mr. Keith's behalf.

Let me just add, in conclusion, that I believe the appointment of Mr. Keith to the Federal bench to be commendable and consistent with our endeavor to designate men of demonstrated ability and intelligence. His background—indicative of a very high standard of professional competence—is a matter of record.

Mr. President, Damon Keith will make an outstanding Federal judge.

SECRETARY RUSK'S LUCID RESTATEMENT OF THE AMERICAN POSITION ON VIETNAM

Mr. McGEE, Mr. President, in his news conference today, Secretary of State Dean Rusk lucidly and objectively restated the American position on Vietnam. It was as clear a statement of our goals and objectives as any I have ever seen. And what's more, there is hardly any rational person who can seriously doubt its truth or accuracy.

Secretary Rusk rightly described the American position as a middle position—a middle position between those who urge an all-out, disastrous general war, and those who want immediate unilateral withdrawal.

Though the American people are troubled by the war, Secretary Rusk is absolutely correct when he says there is no large body of American opinion which supports either of those extremes.

The American position is based on a need to meet our international commitments; a pursuit of limited objectives by limited means; an earnest desire to bring this conflict to a peaceful end as soon as possible.

That, in a nutshell, is what we are trying to do.

I agree wholeheartedly with the Secretary when he said that the word or commitment of the United States would become worthless if we ever reneged on

formal treaty obligations—such as SEATO—when the going got too hot.

On the other hand, if we pursued a wild, irresponsible annihilation policy toward Vietnam, the world might rightly say we suffered from the arrogance of power—which we do not. We have, in fact, used our remarkable military power with the most severe restraint.

We have tried to maintain a sense of balance in Vietnam. We have made dozens of overtures for peace discussions, all of which have been rejected by Hanoi.

We have received the support of many Asian nations for our position, for they stand on the front lines facing a hostile Communist China.

I urge all of us and the American people to read and absorb Secretary Rusk's statement of the American position in Vietnam.

It is an excellent document which to my mind is irrefutable in fact and in intent.

It reflects very well on a President who has been consistent from the beginning of our Vietnam commitment to this moment: do not yield 17 million people to communism; use your vast powers with restraint; keep every door open to peace.

I congratulate the Secretary and the President on this excellent restatement of the American position in Vietnam. I ask consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SECRETARY RUSK'S NEWS CONFERENCE OF OCTOBER 12, 1967

Secretary RUSK. I should like to begin with a brief comment on the current public discussion of Viet-Nam.

I find no significant body of American opinion which would have us withdraw from Viet-Nam and abandon Southeast Asia to the fate which Asian communism has planned for it. Similarly, I find no serious opinion among us which wishes to transform this struggle into a general war.

We Americans are, therefore, debating variations on a theme—but the theme is a central position resting upon (a) the need to meet our commitments and defend our vital national interests; (b) the pursuit of our limited objectives by limited means, and (c) our earnest desire to bring this conflict to a peaceful conclusion as soon as possible. Hanoi should not misunderstand this debate.

Our commitment is clear and our national interest is real. The SEATO Treaty, approved with only one dissenting vote by our Senate, declares that "Each party recognizes that aggression by means of armed attack in the treaty area . . . would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger . . ." The Treaty says "each party" will act. The fidelity of the United States is not subject to the veto of some other signatory—and five signatories have engaged their forces alongside Koreans and South Vietnamese.

In August 1964 the Congress by joint resolution declared, with only two dissenting votes, that "The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in Southeast Asia." This was not a new idea in 1964. It was the basis for the SEATO Treaty a decade earlier. It is no less valid in 1967. Our several alliances in the Pacific reflect our profound interest in peace in the Pacific, no less vital to us as a nation than is peace in our own hemisphere or in the NATO area.

I have heard the word "credibility" injected into our domestic debate. Let me say, as solemnly as I can, that those who would place in question the credibility of the pledged word of the United States under our mutual security treaties would subject this nation to mortal danger. If any who would be our adversary should suppose that our treaties are a bluff, or will be abandoned if the going gets tough, the result could be catastrophe for all mankind.

It is not easy for our people to wage a struggle by limited means for limited objectives. We Americans are an impatient people—a quality which has helped to build a great nation. The present impatience about Viet-Nam is thoroughly understandable—and is shared by those who carry official responsibility. But our over-riding object is—and must be—the establishment of a reliable peace. It is easy to rush into total catastrophe. It requires courage and determination to act with both firmness and restraint in the interest of peace. An examination of all the crises in which we have been involved since 1945 will show, I think, the supremacy of the objective of a reliable peace.

President Johnson has emphasized, time and time again, his interest in a prompt and peaceful settlement of the present struggles in Southeast Asia. Just two weeks ago, in San Antonio, he said, "The United States is willing to stop all aerial and naval bombardment of North Viet-Nam when this will lead promptly to productive discussions. We, of course, assume that while discussions proceed, North Viet-Nam would not take advantage of the bombing cessation or limitation."

Can there be a more reasonable proposal? Is there anything unfair about such a simple proposition? Is it not clear that if Hanoi is interested in peace it could say "yes" publicly or privately to the President's offer today?

A rejection, or a refusal even to discuss such a formula for peace, requires that we face sober conclusions. It would mean that Hanoi has not abandoned its effort to seize South Viet-Nam by force. It would give reality to captured documents which describe a "fight and negotiate" strategy by Viet Cong and North Vietnamese forces. It would reflect a view in Hanoi that they can gamble upon the character of the American people and of our allies in the Pacific.

Earlier I referred to variations on a theme. The debate in which we are now involved is a debate about detail—this or that military move, this or that diplomatic step—this or that formulation of what is in fact a common middle position. If that be true, precision is important. People at least should make it clear whether they are arguing with Washington or with Hanoi.

When people talk about a pause in the bombing, they should know that Hanoi calls a pause an "ultimatum". When a Senator says that he wants to stop the bombing but, of course, wishes to continue to bomb in support of our Marines south of the DMZ, he should know that Hanoi categorically rejects any such notion. When people say "Negotiate Now" they should know that the President would meet with Ho Chi Minh and other Chiefs of State concerned, tomorrow—and that I would depart today for any mutually convenient spot if I could meet a representative of North Viet-Nam with whom I could discuss peace in Southeast Asia.

Chairman Thieu and Prime Minister Ky have repeatedly offered to meet with the authorities of Hanoi to arrange a cease-fire and a peaceful settlement. They and we both responded affirmatively to U Thant's proposals of last March. Had there been a similar response from Hanoi, there would have been discussions to arrange a military standstill, preliminary conversations and a convening of the Geneva Conference. Literally dozens of proposals made by ourselves, other gov-

ernments or groups of governments have been rejected by Hanol.

I cannot tell you when peace will come. I am encouraged by progress toward peace in South Viet-Nam, but I cannot name a date. But we shall continue our effort both by resisting those who would impose their solutions by brute force and by an unremitting exploration of every path which could lead to peace.

HOW DARE THEY BE UPSET?

Mr. BYRD of West Virginia. Mr. President, anent the recent Finance Committee sit-in by irate welfare recipients, I wish to insert in the RECORD a letter signed "Negro Taxpayer," which appeared in the September 25, 1967, edition of the Washington Daily News.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOW DARE THEY BE UPSET?

Those irate mothers have quite a bit of gall holding an "anger-in." How dare they be upset because they have to support their own children. They had them and they are responsible for their support.

I realize that it is difficult to raise a family alone, but it can be done with a little effort. Believe me, I know what I'm talking about. My parents are divorced, and my mother raised my three sisters and myself to be law-abiding citizens and she worked every day also. We never lived in public housing or received AFDC. We didn't have all of life's luxuries, but we were always clean and well fed.

The prideless action of these women at the mention of work is disgusting. How long do they think they can continue to get something for nothing at the expense of the tax-paying citizen? The new regulations passed by the House should be strictly enforced.

NEGRO TAXPAYER.

NEW DIMENSIONS IN INTERNATIONAL AFFAIRS—ADDRESS BY DR. EVERETT KLEINJANS

Mr. INOUE. Mr. President, Dr. Everett Kleinjans, Deputy Chancellor for Academic Affairs at the East-West Center, addressed the English-Speaking Union on September 19, 1967, in Honolulu on the subject of "New Dimensions in International Affairs."

Dr. Kleinjans came to the East-West Center after long experience as an educator in the Far East. With the belief that his fresh viewpoints may be of interest to Senators, I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEW DIMENSIONS IN INTERNATIONAL AFFAIRS
(Presented before the English-Speaking Union, Sept. 19, 1967, by Everett Kleinjans)

I am speaking here tonight in place of Chancellor Jones who regrettably could not make it. The title of the talk, "New Dimensions in International Affairs," is most appropriate for a man who has spent most of his adult years in the foreign service of his country and who has become one of its outstanding diplomats. My credentials are quite different from Chancellor Jones', however. In my undergraduate years, I majored in mathematics and physics. In graduate school, due to certain wartime exposure to and training in languages, I shifted to linguistics

and its application to the learning of foreign languages. More recently, for approximately the last six years, I have found myself in educational administration. With a background such as this, I feel that I am quite unqualified to speak to you on a subject as boldly innovating as this title sounds. However, I have spent most of the past 20 years of my life abroad and have constantly attempted to keep up with and analyze events, particularly events affecting relations between the United States and Asia in general, but Japan in particular. Perhaps out of this naive background, a few of the thoughts or ideas that I will be sharing with you tonight will have some ring of authenticity. In any case, my credentials or lack of credentials expose a few of my prejudices and predilections; At the same time, since I claim no expertise on the subject, I feel I will be a little freer to say what I wish about it.

The new dimension in international affairs as I see it is that a government—namely that of the United States of America—has openly admitted in fact, if not in word, that it does not understand the peoples of Asia and it has therefore set up an institution to promote mutual understanding. A prominent Asian diplomat, in residence at the East-West Center as a senior specialist, has written:

"It is clear that the East-West Center is a political creation established for political purposes. If further proof is needed, it is the fact that the Center's budget is part of that of the State Department. Hence the East-West Center has to take all the consequences of being a political institution. Its head has to justify and defend its budget, answer political questions of Congress members in a way satisfactory and acceptable to these politicians. In short, its Chancellor has to have the qualities of a politician. We will see later that he also has to be a diplomat."

"It is equally clear that the Center is an instrument of United States foreign policy. Mentioning it is by no means means as criticism. On the contrary, it is to underline the value and significance of the East-West Center. Because it is first class foreign policy."

This institution was established not to propagandize or to persuade people of the rightness of America's foreign policy, nor was it established to get Asians to like Americans. The particular American policy in effect at a particular time should not be permitted to affect the Center and its programs. For the Center is engaged in long-range planning in an attempt to create a community of people who will in turn create a climate of understanding in which we can live together in peace on this small and ever-shrinking planet. These are our long-range goals. Idealistic, to be sure; but men live by their values and their basic beliefs about man and his nature, and especially by the images they create of reality. By image I mean what Kenneth E. Boulding has described in his book *The Image* (The University of Michigan Press, Ann Arbor Paperbacks, 1961). Each person, through his total experience of living, thinking, learning and interacting with other people, develops an image of objective reality. We might call it his "model" of the universe. On the basis of this image, a man responds, makes decisions, and takes action. As Boulding so cogently puts it, "... behavior depends on the image."

Unfortunately, our images are often distorted by the immediate situation and by the ideologies and myths which we hold at particular times. The average man's—even the highly-educated man's—concept of foreign countries is usually fuzzy or distorted. We all know and remember too clearly the stereotype of the Japanese people that was built up by the military in the early 1940's in order to create a climate for waging a war against them. This image, unfortunately, still exists today in the minds of many. We

also remember vividly our wartime image of the Chinese people, influenced possibly by our concept of Confucius, the wise sage who from his depths of philosophical insight dispensed wisdom which has continued to influence the East over long periods of history. This benign image was transferred to Generalissimo and Madame Chiang-Kai Shek during the war. Our image of the Chinese people at that time was that they were our best of friends. Twenty-five years have passed and now we see the Chinese as the virtual incarnation of the devil, with Mao and his henchmen out to destroy everything we hold dear. What will the international situation be like 25 years from now, or in the year 2000? What will our images of Japan and China be then?

I think it was in the minds of the founders of the East-West Center, and it is the understanding of the people now connected with the Center, that one of the reasons for these stereotyped images has been the lack of depth of knowledge of each other and the lack of encounter. As you know, the East-West Center brings people together here in Hawaii to increase knowledge and enhance encounter. Of course, we must realize that encounter by itself may not help people to understand each other, nor necessarily to like each other. The encounter between people may, in fact, create a situation in which people come to misunderstand, dislike, and even hate each other. Winston Churchill has cogently summarized this situation in a speech at the Mid-Century Convocation at the Massachusetts Institute of Technology:

"We entered this terrible Twentieth Century with confidence. We thought that with improving transportation nations would get to know each other better. We believed that as they got to know each other better they would like each other more and that national rivalries would fade in a growing international consciousness."

"We took it almost for granted that science would confer continual boons and blessings upon us. . . . In the name of ordered but unceasing progress, we saluted the Age of Democracy expressing itself ever more widely through parliaments freely and fairly elected on a broad or universal franchise. . . . The whole prospect and outlook of mankind grew immeasurably larger, and the multiplication of ideas also proceeded at an incredible rate. . . ."

"This vast expansion was unhappily not accompanied by any noticeable advance in the stature of man, either in his mental facilities, or in his moral character. His brain got no better, but it buzzed the more. . . . he became the sport and presently the victim of tides and currents, of whirlpools and tornadoes amid which he was far more helpless than he had been for a long time. (Quoted in Roger Shinn, *Christianity and the Problem of History*, p. 4.)

The direction of events in our century exposed the notion of the inevitability of human progress as an illusory image, and we, with Churchill, became disheartened and disenchanting. But the stripping away of illusions is a precondition to coping with reality. In fact, man must constantly perform acts of reality testing in order to produce changes in his image, in order to make his image conform to the world as it is. It became more and more clear, when the euphoria of post-war optimism was shattered again by collisions between nations, that international brotherhood didn't just grow naturally—that it must be cultivated and that its cultivation is hard work. With his realization certain men of vision felt that it was necessary to build a new or different kind of educational institution, one that would provide a framework in which understanding would be more probable than misunderstanding, in which ignorance would be replaced by knowledge and fear by confidence, respect and trust. The East-West Center attempts to

provide the milieu where such things are possible.

Most educational institutions are built upon a philosophy dedicated to passing on the culture of the society in which they exist. Furthermore, in mono-cultural schools, both teachers and students are expected to have similar experiences and ways of thinking upon which the philosophy and program of the school can be built. The passing on of these experiences and ways of thinking is believed to insure the continuation of that society. This is why very little attention has been given in schools to the experiences and ways of thinking of other peoples, and that consequently the cultural heritage becomes more rigid often posing a barrier to understanding and living at peace with those of other traditions. Another characteristic of the mono-cultural approach to education is the tendency constantly to look to the past for philosophical foundations, inspiration, and guidance. However, in an international academic institution such as the East-West Center, which is making a very definite attempt to be inter-cultural or cross-cultural, which consciously tries to build into its programs the insights and ways of thinking of many peoples, there is really no such common core to build upon. It is therefore necessary for us to be teleological in our thinking, looking forward into the future, looking to our goals rather than to our past for guidance. Consequently, it is necessary in this context to raise the question of what kind of man, what kind of society we wish to see existing in the twenty-first century. Our answers to these questions must be used as our guidelines. This orientation to the future is extremely difficult, since all of us are such slaves of our past. Modern depth psychology has shown how profoundly adults are influenced by their childhood. It is true that the child is the father of the man. However, the challenge that comes to us, especially as we think of international affairs and of the requirements of the present age, is how men and women can gain the insight and understanding and have the courage to rise above their past, to move beyond their own cultural experiences. What is needed is a new height psychology which will lift our eyes to new potentialities, our hearts to new hope, and our hands to new creativity. It is this stretching out into the future and into the heights that should determine the stance or posture of the East-West Center. This effort will build in part of the "New Dimension in International Affairs."

A second reason for our misguided or stereotyped images is the forms of ideology and myths. Two of the greatest myths in the minds of man today, in my estimation, are embodied in the words "capitalism" and "communism"—two words which possibly should be eliminated from our vocabulary. On the one hand, capitalism is a term that was applied to a system of economics in which working men were exploited with low pay, long hours, child labor, etc., a condition described clearly by Dickens in his novels and also built into a framework of thought by Karl Marx. This same word is applied to the present economic system in the United States in spite of the fact that a gradual revolution has been taking place since the end of the nineteenth century. Anyone who reads of the Morgans, the Rockefellers, and the Carnegies fighting over large empires and amassing huge fortunes, will recognize that such raw dealings have been drastically inhibited under the modified system of today. However, if you ask a Kansas farmer what has given him his farm, his equipment, his car, his television set, and, in general, the good life which he enjoys, his answer will more than likely be capitalism. Ask the same Kansas farmer what is the greatest threat to his country and to his good life, and his answer will more than likely be communism. If you were to ask an

older Ukrainian farmer who gave him the benefits he enjoys in his society and what is the reason for the great difference in his life from that of his father, he will more than likely answer communism. Ask him what the greatest threat is to his life and to his country, and he will answer capitalism. Depending on which side of the fence, or which side of the curtain, a man stands, capitalism and communism are only other words for good and evil. But they are part of the ideology by which many of us, to a greater or lesser degree, live. They are part of the image we have of the reality of international affairs, and thus they are charged with emotion.

And so, the East-West Center was established by the United States Government through the Department of State in an attempt to provide experiences which can change our images, and thus to develop and maintain understanding between the peoples of the East and West. Ever since the East-West Center began there has been a constant attempt to recognize and define the needs toward which it would concentrate its efforts. The needs which the countries of the Pacific Basin face are many, and many men are working toward their solution. (Such things as the population and food problem, the learning of a common language for communication, the development of sound economic and social systems in order that men will have roofs over their heads, clothing on their backs, and food to eat.) However, the overriding need recognized by those who have been at the Center, and by those of us now working at the East-West Center, is the need to understand. Yet, even understanding is a concept that cannot stand alone. We must ask, "Understanding for what?" Men have probed the depths of man and have come to a profound understanding of his psychological nature. However, this knowledge can be used for propaganda and brain-washing, or for enhancing mental health and developing more effective ways of teaching and learning. During World War II, a group of anthropologists, headed by Miss Ruth Benedict, was asked to make a study of the character of the Japanese people so that they could be better understood. Its purpose was to enable the American army to predict the effects of various military policies and plans and thus to develop the most efficient military strategy against these Japanese people.

The understanding we are looking for must be used to develop better relations among men and nations so that a world of order and peace may be developed. It is toward these goals then that the programs of the East-West Center (which most of you know something about) have been worked out by which we bring together people from Asia, the Pacific, and the United States for research, education, and training.

One of the biggest problems an administrator faces is to define concepts in an operational way. This is true of *understanding*. I would like to attempt this by using a few words which I hope will be meaningful. The first word is *communication*, which is talking together. However, mere talking together is not enough, so we have developed dormitories for the purpose of "co-domiciling", or living together. I know of no Latin phrase which covers a third concept—co-relaxing or co-playing. It is in periods of relaxation or playing that the humor and pathos, of a culture become clear. The fourth, probably the most operational of all of these concepts, is *collaboration*, which means working together. The Center has recently made a decision to move into problem-oriented programs. Exactly what these programs will be is still uncertain. However, at present we are exploring such problems as population and food, communication and the teaching of language, the impact of rapid social change, etc. Our hope is to bring together people from the various countries of Asia, the United States,

and the Pacific Islands, to work together toward the solution of some of the major problems facing all of us. It may be that these scholars will be able to play a part in or take a step toward the solution, or at least the clarification, of these major problems, which in itself will be a worthwhile accomplishment. But more important, from our point of view, is the hope that once a certain amount of "success" has been achieved, the men and women collaborating in a program will come to realize that they were able to accomplish this despite differences of language, race, culture, or creed. This experience should play a part in developing a community of scholars and men of affairs in the Pacific Basin who have developed understanding of and respect for each other and each other's ways of thinking, and are thus able to create a climate in which men can live sanely together in this world.

Through working together (collaborating) men learn to sacrifice self-interest for the common good; such acts—or the disposition to perform such acts—we call generosity or benevolence. Unfortunately, these attitudes have rarely been a dominant dimension in international affairs. There have been strong demands for international justice and equality. My question is: Can we speak of international benevolence or international generosity? Certainly we need justice, which sternly and unsentimentally protects the legitimate interests of all. We need equality which recognizes the validity of the aspirations of each. Justice and equality can be demanded; yet benevolence and generosity, like love, are by their very nature not subject to demand. But they are necessary qualities for a community. This is why I feel that it is not only the East-West Center as an institution with programs of education, research and service, which is providing a new dimension in the international community. It is also the people of Hawaii who generously, and may I say benevolently, open their homes and hearts to people from outside Hawaii, thus playing a major role in building this new dimension in international affairs. It is this total milieu—the Center and the Community—which I have come to learn more about in the last three months, which has given me an insight into new Dimensions in living, and which I hope will become a new dimension in international affairs.

THE SOVIET ESPIONAGE APPARATUS

Mr. DODD. The skill and pervasiveness and the ability of the Soviet espionage apparatus to penetrate free world governments at the highest level has again been dramatically illustrated by the case of Harold "Kim" Philby, for many years head of British anti-Soviet intelligence, who has recently let it be known from his Moscow sanctuary that he served as a Soviet agent for more than 30 years.

Philby held a number of diplomatic posts, which enabled him to disclose to Moscow top secret information involving both British and American security. At the time of his defection, as a recent article in the Washington Daily News points out, he was being groomed to head up M-16, as the British counter intelligence service is known, in which capacity he would have been Britain's chief link with the CIA.

Philby enjoyed the confidence of every senior official of the British Government from the Prime Minister down. The Daily News article points out that when in 1955 it named Philby for the first time "as the man who had tipped off British turncoats Guy Burgess and Donald MacLean,

enabling them to flee to Russia," no less a person than Foreign Secretary Harold MacMillan came to the defense of Philby, who was at that time serving as First Secretary of the British Embassy in Washington.

As shocking as the case of Philby may be, we in this country are in no position to point an accusing finger at the British. Indeed, if we recall our recent past, there is probably no country in the Western World where more men holding top Government positions have been exposed—but only after many years—as Soviet agents. Among those thus exposed were:

Alger Hiss, who was in charge of the International Organizations Division of the Department of State, and who was a prime architect of the Yalta agreement and of the United Nations Charter.

Harry Dexter White, who as Assistant Secretary of the Treasury, in effect ran the American Treasury and used his position to give the Treasury Department an influence in the conduct of foreign affairs which it had never before possessed.

Frank Coe, a onetime assistant of Harry Dexter White, who later became President of the World Bank, with American approval, and then was obliged to resign when he invoked the fifth amendment in response to the question: "Are you a Soviet agent, Mr. Coe?" Mr. Coe is now working for Red China.

Larry Duggan, onetime head of Latin American Division of the Department of State, who was pushed or jumped from a New York skyscraper window on the eve of his scheduled testimony before a Senate committee.

These were among the best known and the most highly placed of the Soviet agents uncovered as a result of revelations made during the late forties and early fifties. But there were scores of others who held lesser rank but whose capacity for mischief and for the perversion of our foreign policy was almost as great.

The Soviet espionage apparatus is without question the most massive that has ever existed in history. It is also the most professional and the most diversified and the most successful in mounting high-level infiltration in other governments. This confronts us with a situation where the old adage that "eternal vigilance is the price of freedom" applies with tenfold truth.

The Philby experience in Britain, the Colonel Wennerstrom experience in Sweden and our own experience in this country all point to the need for the most stringent security procedures in government employment. Among other things they point to the need for periodically conducted security reviews of all those who hold sensitive government posts—even those at very high levels.

I ask unanimous consent to have printed in the RECORD the article entitled "Philby Admits Spying for Reds," published in the October 2, 1967, edition of the New York Daily News.

In this connection, I also ask unanimous consent to have printed in the RECORD the text of an article entitled "Foreign Affairs: Where the Spies Are," written by C. L. Sulzberger, and pub-

lished in the New York Times of September 13, 1967.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Daily News, Oct 2, 1967]

PHILBY ADMITS SPYING FOR REDS

(By Henry Maule)

LONDON, October 1.—Twelve years after British diplomat Harold A. R. (Kim) Philby was exposed in THE NEW YORK DAILY NEWS as the "third man" in a spy case, he has admitted being a Soviet agent for more than 30 years.

An exclusive dispatch from this correspondent to THE NEWS in 1955 named Philby for the first time as the man who had tipped off British turncoats Guy Burgess and Donald MacLean, enabling them to flee to Russia.

The question was raised in Parliament and Harold Macmillan, then foreign secretary, cleared Philby, former first secretary of the British Embassy in Washington, declaring there was "no reason to conclude that Mr. Philby has at any time betrayed the interests of this country or to identify him with a so-called third man."

"I HAVE COME HOME," HE TELLS SON

Philby, 55, has admitted to his oldest son, John, 24, who recently visited him in Moscow, that his allegiance has been to the Soviet Union most of his adult life.

"I have come home," he told the son, declaring himself completely happy in Moscow, where he ostensibly works for a Soviet publishing house.

Two London newspapers, the Observer and Sunday Times, carried today what the Observer called his "unmatched success story in espionage."

They reported that Philby was now known to be the most important spy the Russians ever had in the West, and that for more than a decade, while serving as a Soviet agent, he was a trusted senior officer at the heart of British intelligence.

Philby reportedly was assigned by the Russians in 1934 to infiltrate British intelligence. By 1944 he was appointed head of the British anti-Soviet intelligence.

IN ON BRITISH AND U.S. SECRETS

He was named to diplomatic posts from which he was able to disclose to Moscow the inner secrets of M-16, Britain's counterintelligence service, and of American Central Intelligence Agency, the newspapers said. He was being groomed to head M-16 and be Britain's link with the CIA.

In 1951, Philby risked exposing his position by warning MacLean that he had just been unmasked as a major atomic spy, permitting MacLean to flee with his friend Burgess, who since has died.

Apparently Philby did so because he suspected MacLean and Burgess might break down under interrogation and betray him.

Philby was later exposed by a Soviet intelligence officer who defected to the West in 1961 and told London about him. Philby fled to Moscow in 1963 from Beirut, Lebanon, where he was working for the Observer and, that paper said, for British intelligence.

[From the New York Times, Sept. 13, 1967]

FOREIGN AFFAIRS: WHERE THE SPIES ARE

(By C. L. Sulzberger)

The cold war between tightly knit Soviet and NATO blocs has certainly relaxed. The five years since the Cuban missile showdown have been marked by cautious if persistent efforts to improve relations between Washington and Moscow despite tensions in Vietnam and the Middle East. Loosening of their own alliances, realization of the folly of nuclear war and mutual fear of China have all contributed to this easement.

But this trend should not be permitted to

obscure the fact that the two superpowers continue to found policy on each other's assumed intentions and to watch each other's every move. All the time, day and night, Soviet and American spy satellites whizz overhead while their photographic eavesdropping and other electronic devices snoop about the globe.

EXPOSED NETWORKS

Nor has the subsidence of tension reduced conventional espionage. We are only occasionally reminded of this fact by events such as South Africa's recent seizure of a Russian spy named Yuri Loginov or the exposure of a clandestine Soviet network last March when Giorgio Rinaldi was arrested by Italian military intelligence.

Between March 1966 and April 1967 no fewer than 107 Soviet intelligence officers were uncovered around the world. Most of them held diplomatic passports and were simply declared *persona non grata* and sent home.

Loginov has already made a full confession which involves many Russian so-called diplomats. They include Konstantin, Prolov who served in Argentina and Australia; Yuri Lyudin (also called Modin, former Soviet counselor in New Delhi; Vitali Pavlov (alias Kedrov), a counselor of embassy in Western Europe, who was in Ottawa during the Gouzenko spy case; Aleksei Tiblyshin, who once worked at UNESCO in Paris; Yuri Chekulayev, a diplomat in the Middle East; and Boris Skoridov, said to be the same as Boris Zhiltsov, member of Moscow's London embassy.

The highly proficient Soviet espionage apparatus of G.R.U. (military intelligence) and K.G.B. (interior ministry) makes wide use of diplomatic, journalistic and commercial cover. The G.R.U. officer arrested in the Rinaldi case, Yuri Pavlenko, was an attaché in the Rome embassy. Rinaldi exposed Albert Zakharov, embassy secretary in Athens; Boris Petrin, attaché in Nicosia; Nikolai Ranov, Aeroflot airlines representative in Cyprus; Igor Oshurkov, trade representative in Greece; Mikhail Badin, Vienna military attaché; Georgi Balan, military attaché in Italy, then Mexico; Aleksei Solovov, employee in the Rome military attaché's office.

Experts assume no Soviet diplomatic establishment draws fewer than half its staff from G.R.U. or K.G.B. rosters, a figure rising to 80 per cent in some embassies. Of 107 Russian spies exposed last year, 45 had diplomatic cover; thirty were listed as journalists; fifteen commercial representatives; five Aeroflot; six "cultural" representatives.

A vitally important, if more conventional, Soviet espionage network at Bakfjord, northern Norway, did effective work in the NATO area before Norwegian counterintelligence broke it up. This group's agents, trained in Murmansk, were responsible for entrapment of the famous U-2 plane piloted by Gary Powers in 1960. This was shot down over Russia while on a high-flying reconnaissance mission between Pakistan and Norway.

A NEW SUPERSPY

Allied officials are now perplexed by the appearance on the West European scene of a new type of superspy assigned to political action and reporting directly to the Soviet Communist party's International Section, an echelon above K.G.B. and G.R.U. Four diplomats believed to hold such assignments are Sergei Kudryavtsev, Minister-Counselor in Bonn; Pavel Medvedovsky, Counselor in Rome; and Vladimir Fedorov and Georgi Farafonov, Counselors in Helsinki.

Kudryavtsev, also involved in Canada's Gouzenko case, was Russia's first Ambassador to Castro. He supervised installation of Soviet missiles in Cuba. Medvedovsky worked in the K.G.B. before being promoted to his political action job. Fedorov, once deputy chief of the party's International Section, was a political observer in China. Farafonov

worked in Stockholm eight years for the K.G.B.

THE WAR GOES ON

One cannot predict how many new names will be added to this roster as a result of Loghinov's confession in South Africa, a confession that has already connected five continents in the extraordinary Soviet network. The basic point is that despite the relative thaw between Moscow and Washington, and efforts to work out political and economic accommodation, the spy war goes on.

The watch persists in the skies, on the high seas where trawlers and submarines carry complex electronic devices; along endless frontiers from Norway to Kamchatka; and in the susurrous cellars of embassies about the world. The overt cold war has eased—but not its covert counterpart.

ARTHUR G. McDOWELL

Mr. DODD. Mr. President, a year ago this October 7, Arthur G. McDowell, of Philadelphia, died tragically in an automobile accident.

Art McDowell was known to many people in Washington in several different capacities.

He was known, first, as a lifelong trade unionist and as a champion of every progressive cause.

He was known, second, as an implacable foe of Nazi and Communist tyranny and as the chairman for many years of the Council Against Communist Aggression.

And, finally, he was known as a great-hearted human being who gave of himself without stint to all those causes in which he believed.

In observing this first anniversary of Art McDowell's death I ask unanimous consent to have printed in the *Record* a poem written after his death by the well-known American author, James T. Farrell. Rather than attempt to embellish Mr. Farrell's majestic tribute to Art McDowell, I simply want to say that I agree with his observation that "forever gone, Art McDowell will belong to the memory of mankind."

There being no objection, the poem was ordered to be printed in the *Record*, as follows:

ART McDOWELL: REQUIESCAT IN PACE

Art McDowell was my friend and my comrade. He is no more. Death has gouged a hole out of the future. Some words, now will never be spoken. Some acts will never be taken. Some thoughts will never be. Some experiences have been forever excluded from being actualized, from emerging into our lives. The death of a friend is a loss in the quality of one's future life on this, our temporary planet.

Art McDowell is gone. I have lost. Many who will read these words have lost.

I do not mourn because Art is gone. He was not the kind of a man for whom one mourns.

No, I do not mourn.

Rather than mourn, I have one more incurable anger that I shall carry forward to that time, that day, hour, minute, when I shall reach the end of my destiny, and shall become as Art has become.

II

I would speak
Through the electric fields and spaces
And of air and sky.

I would speak
Across the blue before the beyondness,
That spreads sans boundaries
In a cold and voiceless infinity.

I would speak across
The untracked air of all of the total universe,
And say, a friend is gone;
A comrade is for always fallen.
I hang upon my heels
Touching the turning
The ceaseless and turning earth.
I see not
The stretches of the bare infinity
The unliving and the grave
And I do not know if it be infinity.
I speak, regardless
(To fear death is vulgarity)
Because a friend
Lies rigid in a new dark grave
Of awesome, and more awesome
Unliving silence.
This world goes turning, turning
Life moves, changing and changing
And one among us
Who fought to make the change come equal
Is dissolving in the uncaringness
Of all the vast unimaginableness.
I would speak
Of all the wonder of a man
Who comes into all of the uncaringness
Of the silence
That cannot even know its name,
Itself its own silence, deadly silence.
I would speak to say
My friend is gone
My comrade is gone
And I am coldly hard in my anger of life.
Farewell, Friend!
Farewell, Comrade!
Farewell across the spaces.

JAMES T. FARRELL.

III

I met Art McDowell when I was on the Executive Board of the Workers Defense League. I came to perceive that he had the seriousness of distinction. He was always alert, he was concerned.

Concerned with what?

He was concerned with freedom.

And freedom is more majestic than all of that infinity of space beyond in this vast untracked universe.

I bow my head.

In silence of soul, and with head still bowed, I bid farewell, in the silent sadness of forever.

Forever gone, Art McDowell will belong to the memory of mankind.

I say farewell to a comrade, to a good friend, a good friend. He was Art McDowell.

We spoke. We acted with Art in linked conscience of freedom. Art's memorial, our memorial, can only be the freedom of man.

Softly, I say in words of wounded affection:

Farewell, Comrade;
Farewell, Friend;
Farewell, Art!

JAMES T. FARRELL.

TRIBUTE TO JOHN KENNETH GALBRAITH

Mr. McGEE. Mr. President, yesterday's Washington Evening Star included among its pages a column by Richard Wilson which amounted, especially in its conclusion, to a tribute to the work and purposes of John Kenneth Galbraith, the most persistent example of what Wilson called the challengers or revisers of the established order. Galbraith, the columnist says, is trying to help us understand the real nature of our society—this understanding being necessary in the first place if we are to create the kind of society we have always boasted we have here in America.

Mr. President, I ask unanimous consent that Richard Wilson's column on the work of economist John Kenneth Galbraith be printed in the *Record*.

There being no objection, the article was ordered to be printed in the *Record*, as follows:

GALBRAITH'S CALL ECHOES LONG LINE OF SEERS (By Richard Wilson)

A long line of seers and necromancers reaches back into Washington's past. Some of their names are unknown to a present generation or forgotten by a fading generation.

Rexford G. Tugwell, Gardner Means, Raymond Moley (Nor a time), Prof. Alvin Hansen, Jerome Frank, Sam Rosenman, Henry A. Wallace, Leon Henderson, Harry L. Hopkins, Paul Appleby, Hugh Johnson, even Alger Hiss, and many others.

These were the challengers or revisers of the established order, most of them from, or on their way to, or compatible with the academic world. They were followed by a somewhat more conventional group: Arthur Burns, Arthur Larson, Malcolm Moos, to name only three, and then by the more spirited Walter W. Heller and Paul Samuelson.

In general these men have had one thing in common. They have been trying to analyze the nature of the established order and redirect and reform it in such ways as will raise the standard of living and the quality of life for the greatest number of people. Therefore some of them have been under suspicion at one time or another as socialists, dangerous radicals, Communist-inclined or muzzy thinkers—regardless of their political affiliations and their generally amiable natures.

One, not above named and not always amiable, has persisted. He is John Kenneth Galbraith of Harvard University, who delights in making other people feel uncomfortable by the use of words. Galbraith is an economist, like most of the others. He was a price fixer during World War II, a volunteer adviser to the Kennedy's administration, and an ambassador to India, among other accomplishments.

His persistence has some considerable significance because now after a long interval following World War II, the nation is beginning to look inward at many of the problems which concerned the seers of the Roosevelt era. During the 25-year interregnum the prominent thinking men turned to international affairs and national security. We have heard more of Paul Nitze, Walt Whitman Rostow, Henry A. Kissinger, McGeorge Bundy, and Robert S. McNamara in recent years.

But as the nation turns inward to the agonizing problems which have taken second place to national security and geopolitics in the last quarter of a century we are bound to have to listen more to the Samuelsons, the Hellers and the Galbraiths.

Professor Galbraith, never content to remain silent for long, has written a book which has, astonishingly enough, become the No. 1 nonfiction best-seller although the greatest part of the book is possibly beyond the quick comprehension of people who ordinarily read best-sellers. Like the Sunday New York Times, this book must be visible in intellectual abodes, but it is not necessary to read it all.

The title of the book is "The New Industrial State." Its theme is that the great corporations—General Motors, Du Pont, General Electric and dozens of others—have now in actual fact become part of the government of the United States and will become more so in the future. Professor Galbraith gives us a quick turn on the fears of businessmen of the past three decades that government will take them over. He fears the big corporations will in effect take over government by interacting with it, and that we all shall become totally enmeshed in the "technostructure" unless something is done about it.

What he proposes to do is interpose other standards based upon the quality of life so

that the industrial state will become the secondary but necessary means of providing the conditions for the fuller life.

It is not all new. Some of it echoes back to the seers of 30 years ago. But Galbraith makes a good case that the great corporations must operate autonomously, if they are to be successful, in collaboration with a government which permits them to plan on the basis of known costs, prices and demand under predictable economic conditions. The state provides trained or educated manpower, insures a supply of purchasing power, permits the control of prices (mainly through an industry's contracts with its suppliers), and in general acts in collaboration with big industry on large projects.

Galbraith sees a convergence in our kind of system and the Russian system in economic terms, and out of this he draws hope that the Cold War can be replaced by some more benign and stimulating competition between the super powers.

He sees also the methods through which the attack on the great problems of the nation—transportation, housing, the slums—can be started.

A layman would not presume to say that he agreed or disagreed with Professor Galbraith, who commands respect in an occult profession. That is not necessary to recognize that we have again come to a time when inward looking has more urgency than, say, in the immediate postwar period.

Galbraith is trying to help us and himself understand the real nature of our society, and having understood it we can then use our knowledge to create the kind of life we have boasted that we have.

NEW YORK TIMES FIGHTS TO SAVE WORLD'S ENDANGERED SPECIES

Mr. YARBOROUGH. Mr. President, the New York Times of September 9, 1967, contains an editorial which gives me much encouragement. Entitled "Civilization's Prey," the editorial is concerned with the grave dangers being experienced by the world's wildlife.

The approach which the editorial takes, and the approach that is becoming ever more prevalent, is an appeal to the buyer and to the fashion world to recognize the damages that their whim for "exotic"—that is, rare—furs is doing to the endangered species of the world. It must be brought home to all Americans that it is no mark of distinction to wear the skin of an endangered species. It is instead a mark of tragedy for the disappearing species of our world, and it is actually a mark of disregard for the beauties of the natural world. Such an editorial as the one in the New York Times is of great value to America and to the world, for it is a beginning toward making men aware of the danger of extinction presently facing the world's wildlife.

I commend the Times on the service that its editorial rendered to those who are fighting to preserve the beautiful and rare species of life that are disappearing from our world.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CIVILIZATION'S PREY

The wild creatures that are man's companions on this earth are rapidly disappearing. There are 250 species—the blue whale,

the polar bear and the leopard, the fearsome tiger and the humble alligator—now nearing extinction. Man, the giant predator, preys upon these animals recklessly and relentlessly in the pursuit of money.

Fashion and snobbery play a large part. There are excellent imitation alligator products available, but items stamped "genuine alligator" confer more status on the purchaser. As a result, more than 50,000 alligators are killed in Florida in a single year.

In an effort to lessen its dependence upon mink, the fur industry has intensively promoted coats made from more exotic animals. "Fun furs" are now in fashion, and tigers, leopards, ocelots, jaguars and other members of the cat family are in peril.

Tanzania and some of the other newly independent countries have done outstanding work in creating national parks and trying to protect their wild game, but the economic pressures are hard to resist. Exotic pelts bring high prices. It is estimated that a thousand leopards a week are killed in East Africa. No species can survive this kind of depredation for very long.

Senator YARBOROUGH of Texas has introduced a resolution in the Senate calling upon the United States to convene a world conference on means of protecting wild animals. Meanwhile, Americans can help by supporting the Florida Audubon Society's voluntary boycott against articles stamped "genuine alligator." Shoppers can also ponder the cost of that leopardskin coat, a cost far higher than the figure written on any price tag.

CHURCHMEN AND THE VIETNAM WAR

Mr. McGEE. Mr. President, yesterday David Lawrence wrote about churchmen and Vietnam contrasting a recent speech by the Anglican Archbishop of Sydney, Australia, in support of the effort in which his nation has joined ours in Vietnam with those statements of some members of the clergy who counsel withdrawal from Vietnam, or at least oppose our presence there in some degree.

Morality, Mr. President, does not basically differ from one city to another, from one nation to another. Mr. Lawrence makes a good argument when he cites as a high moral purpose the sacrifices of a powerful nation to protect a weak friend from the ravages of aggression.

I ask unanimous consent that his column, published in the Washington Evening Star of October 10, 1967, be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

CHURCHMEN AND THE VIETNAM WAR (By David Lawrence)

Many pastors in different churches throughout the United States have criticized American participation in the Vietnam War, but what do churchmen who live in countries close to Southeast Asia say about it?

A press association dispatch from Australia, whose young men are fighting in Vietnam, reports that an Anglican archbishop, M. L. Loane of Sydney, in his presidential address on Monday to the Sydney Diocesan Synod, warned against unconditional withdrawal of the allied forces from South Vietnam. He said it would leave the Viet Cong as masters of the area and would remove Communist inhibitions toward wider activities. He declared that the Allied troops should hold out until a negotiated peace settlement can be achieved. He stated further that the South Vietnamese "may not

like the war, or the Saigon ruler, or the foreign intervention—but they like the prospect of Communist domination still less."

This is a succinct statement of the fundamental issue. Many American critics have brushed aside as an "illusion" the idea that the security of Southeast Asia is in danger of being impaired. The peoples of the area, however, who are confronted with the possibility of a Communist takeover, do not regard it as an "illusion" but as a realistic threat to their safety.

President Johnson in a recent speech took pains to quote the prime minister of Australia, the president of Korea, the president of the Philippines, the prime minister of New Zealand, the prime minister of Singapore, the prime minister of Malaysia and the foreign minister of Thailand, who uniformly expressed their belief that the fate of Southeast Asia will be decided by what happens in Vietnam. Johnson himself put it this way:

"I cannot tell you tonight as your President, with certainty, that a Communist conquest of South Vietnam would be followed by a Communist conquest of Southeast Asia. But I do know there are North Vietnamese troops in Laos. I do know that there are North Vietnamese-trained guerrillas tonight in northeast Thailand. I do know that there are Communist-supported guerrilla forces operating in Burma. And a Communist coup was barely averted in Indonesia, the fifth largest nation in the world."

Perhaps the best summary of all, about the Communist threat in Southeast Asia was given in 1959 by President Eisenhower, when he said:

"Strategically, South Vietnam's capture by the Communists would bring their power several hundred miles into a hitherto free region. The remaining countries in Southeast Asia would be menaced by a great flanking movement. The freedom of 12 million people would be lost immediately, and that of 150 million in adjacent lands would be seriously endangered. The loss of South Vietnam would set in motion a crumbling process that could, as it progressed, have grave consequences for us and for freedom."

Those who favor withdrawal from Vietnam seem to think that the people of Southeast Asia should be left to struggle with their own problems, no matter what happens thereafter. Such observations are understandable when they come from the lips of politicians who think they will gain votes back home from the parents of potential draftees. But it is surprising to find the same point of view expressed in sermons by ministers who argue that American participation in the Vietnam war is immoral.

There are, however, plenty of pastors in the world who justify the necessity to use force in self-preservation. Another religious principle also is involved—the moral and spiritual motivation for acts of unselfishness and altruism. Indeed, when a nation with no desire for territory or material gain makes sacrifices in order to protect a weak nation against the ravages of an aggressor government, it is an example of the highest form of service to mankind.

WHERE DOES THE CREDIBILITY GAP REALLY LIE?

Mr. SPARKMAN. Mr. President, today the Secretary of State threw the credibility gap back in the faces of the administration's critics on Vietnam. He asked them boldly and clearly whether the word of the United States of America should be kept—or cynically disregarded at our convenience.

These are not matters which change with the wind—

He said.

Sometimes we are tested and find out what kind of people we are.

There is one question—and only one question—which is important here: Are we a Nation which means what it says? If not, we had better stop pretending to be the leader of the free world—for no one will ever follow us again.

I have heard the word "credibility" injected into our domestic debate—

Secretary Rusk said this morning.

Let me say, as solemnly as I can, that those who would place in question the credibility of the pledged word of the United States under our mutual security treaties would subject this nation to mortal danger. If any who would be an adversary should suppose that our treaties are a bluff, or will be abandoned if the going gets tough, the result could be catastrophic for all mankind.

Frankly, Mr. President, I am tired of this debate. We are in Vietnam because we pledged to resist aggression in Southeast Asia.

And it was not just the pledge of President Johnson or President Kennedy or President Eisenhower. It was also the pledge of the U.S. Senate.

None of us likes war. But let us be clear about who started it. And let us be clear about who refuses to end it.

Secretary Rusk's press statement this morning was a clear restatement of U.S. policies and U.S. goals. I commend his remarks to all of my colleagues.

VIETNAM—STOP THE DRAFT WEEK COMMITTEE

Mr. MURPHY. Mr. President I have received a telegram which I would like to read to the Members of the Senate:

Senator GEORGE MURPHY,
Sheraton Park Hotel,
Washington, D.C.:

The criminal and racist war in Vietnam has forced us to take steps to stop the drafting of young men into the Armed Forces. Debate has accomplished nothing, the war must be stopped. If you will not, we will. We plan to shut down the Oakland Induction Center Oct. 17-20. Invite your support.

STEVE HAMILTON,

Stop the Draft Week Committee.

BERKELEY, CALIF.

I am bringing this to your attention and to the attention of the President of the United States in the serious hope that at long last proper steps may be taken so that the orderly process of our Nation may not be disrupted any further by groups—whatever and wherever—who believe that they can put their desires and wishes above the established rules and laws of this Nation.

I call upon the Attorney General of the United States to search his law books most carefully and if it be a criminal act to interfere with the proper process of the Federal Government in such manner, I ask that he apply the law quickly and surely.

I have written to the Attorney General:

Hon. RAMSEY CLARK,
The Attorney General,
Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I am enclosing a copy of a telegram I have received which, I believe, demands the immediate at-

tention of your Department and of the Secretary of Defense, to whom I am sending a copy of this letter.

Obviously the group calling itself "Stop the Draft Week Committee" is threatening to obstruct our war effort in Vietnam by closing the Oakland Induction Center. I would request that your Department investigate whether or not this threat in itself constitutes a violation of the law and take appropriate action upon your findings.

I am also writing in order to advise you and other responsible authorities of the possibility that this obstructive action will be taken so that you can make adequate plans to counter it. Certainly none of us can countenance any action such as this which would impede support of our fighting men in South Vietnam and would disrupt the peace and tranquility of our nation.

Sincerely,

GEORGE MURPHY.

These people who are planning this disruptive program are determined by their own statement to impede and destroy the proper progress and programs of the Army induction center.

I believe that every responsible citizen of this country, regardless of his feelings concerning the merits or demerits of the war in Vietnam, wants in every possible way to support our fighting men who are risking their lives in a far away land.

Actions such as are suggested by this telegram unquestionably, in my opinion, impede the proper conduct of the war.

Actions such as suggested in this telegram must certainly constitute giving aid and comfort to the enemy, and I assure you, Mr. President, that if this ill-conceived plan is permitted to take place it will be used by North Vietnam and the other Communist countries as anti-American propaganda.

I sincerely hope that the Attorney General will put into operation the necessary machinery to see that the laws are observed and upheld and that the rights of the law-abiding citizens are properly protected.

In connection with this, I lately have heard many rumors that there will be an organized and concentrated nationwide antiwar demonstration by these destructive elements. It is my sincere feeling that those who are responsible for the plotting and planning of this mischief are operating against the security of our Nation and the best interests of our people and should be so treated.

I have heard rumors about a plan to march on the Pentagon and to make it inoperative. I think it would be shocking beyond reason if such an activity were permitted under whatever guise or pretext is planned.

It further occurs to me that the dates selected for these activities coincide with the proposed ocean cruise meeting of the Governors' conference. If there is a basis to these rumors, I would respectfully suggest that the date of the Governors' conference be changed and that the chief executives of the respective States be at home during this period, be alert to the problems at hand, and be prepared to see that the peace, tranquility and proper conduct of community life be guaranteed.

I believe the time has come when the patience of the great majority of our law-abiding citizens is about to run out

with this kind of nonsense, and it is my sincere hope that the President of the United States, along with the Attorney General, the Governors of the separate States, and whatever representatives and law-enforcement officials necessary—by concerted and cooperative effort—take preventive action against any plan or civil dislocations now or in the future, and that a guarantee of law and order may be restored throughout our Nation. Nothing should be permitted to interfere with the full support which all of our citizens owe to the men and women of our fighting forces in Vietnam so long as their presence is decreed by the official policies of our President of the United States.

ADULT BASIC EDUCATION IN WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I was recently privileged to meet six dedicated educators who are actively engaged in the adult basic education program in my State of West Virginia.

These men—Karl J. Okes, Jarrell Hartsog, Lowell Knight, Jack Dulaney, B. F. McConnell, and Asberry Chrislip—spoke in the highest terms of the success of this program which is funded by the Department of Health, Education, and Welfare and which has been so beneficial in helping adults to catch up on their educational deficiencies.

The men also left me a copy of a report entitled "Gaining on Opportunity: A Report on Adult Basic Education, West Virginia, 1965-66." And I would like to bring parts of this report to the attention of the Senate in order to illustrate the fine job which adult education is doing in my State.

According to the report, more than 8,900 persons have enrolled in these classes.

Here are some of the comments from the students:

I am 63 years old and there is little need for me to say I'm going to learn a new trade, for I don't have that much time left. I want to learn to read so that I can read my Bible and be a happy man.

I am really glad this school has started. My little girl started to school this year and when she came home the first day, she wanted me to help her with her words. I couldn't help her because I can't read. Now, I'm going to learn to read.

Another student wrote:

I'll be here every day even if I have to wade mud and snow barefooted.

Here is what one of the supervisors wrote of their students' interest:

In many instances, indifference has developed into interest, mere acceptance has developed into active participation and class-work has been carried from the classroom to the job or home. Many of the discussions we have in class are further discussed or "argued" about on the job. . . . Interest is also shown in the fact that several men often spend their break working in class. Surely this is good if a man will give up a smoke break in order to finish what he is working on. Too, they have begun asking for homework. . . . Another change is the improvement in appearance. Many men come to class much cleaner and much neater. Some always apologize because their work required them to be

in a mud hole or other situation which made it impossible to stay clean until class time.

The comments of the teachers in these courses are perhaps the most exciting of all.

One wrote:

I am really enjoying working with the men in my class. They are so much easier to teach than children. I think one reason is that these men have a desire to learn and are already motivated.

Another wrote:

Is such a school worth it all? Judge for yourself on the basis of the following facts.

Several days ago one of our students took a test for a job in Detroit, passed it, got the job, and gave the school credit for it. If he had not had the Adult Basic Education instruction in math, he would not have passed it, he said.

Another student who has an ability to repair television sets had always had a certain problem in one aspect of such repair. It had always been a trial and error method until he learned the division of decimals. In one single lesson the problem was solved.

Still another student, a muscular, healthy looking man of sixty, came after class one day saying so happily "This is the first letter I ever wrote." No, it wasn't the best, but it wasn't the worst either. He had put a stranglehold on functional illiteracy that day.

I believe all these dedicated persons, students, teachers and supervisors alike are to be congratulated for their efforts—the students, for their courage in admitting they need help and for their perseverance in sticking with their course of instruction despite all the other daily chores and cares which we all have; the teachers for their hard work and for their love of their profession, a feeling that knows no age limits; and, finally, the supervisors, upon whose shoulders fall all the multitudinous tasks of organization and supervision of the entire program.

AS WORLD GROWS MORE COMPLEX HUMAN RIGHTS CONVENTIONS ASSUME GREATER IMPORTANCE

Mr. PROXMIRE. Mr. President, the ratification of the Human Rights Conventions on Slavery, Forced Labor, Political Rights of Women, and Genocide should follow our adoption of the United Nations' Charter as the Bill of Rights followed the adoption of our Constitution. Our Founding Fathers wrought one nation out of many states on the basis of certain inalienable rights guaranteed to every citizen.

While it is true that our American experience and the world situation today are not fully analogous, there are important similarities. While the diversities and differences are far greater than they were at the time of the Constitutional Convention, the increasing interdependence of the world clamors for a universal recognition of the importance of liberty and justice for every citizen.

In such a world, our only hope for survival is the maximization of international standards and institutions of cooperation directed to the achievement of peace, economic, and social development, and human rights and fundamental freedoms—the three principal purposes of the United Nations' Charter. Interna-

tional cooperation toward these purposes is no longer merely a dream but a practical necessity.

When we adopted the United Nations' Charter, we certainly expected to ratify the Bill of Rights as a matter of course. Yet we have refused for 18 long years to ratify these conventions. Not only have we lost the respect of the world but we have hindered the advance of human rights in developing nations.

We are faced with the fact that declarations, persuasion, and education, all of which are noble and good, no longer have the force necessary to solve present-day problems. The time has arrived for the United States to join with the rest of the world in binding obligations to safeguard human rights, not only because it is important to the foreign policy of the United States, not only because it reflects adversely upon our Nation, but because it is the moral thing to do.

Let the sentiments of President Kennedy become our own, when he said of human rights:

Simple justice requires this program, not merely for reasons of . . . world diplomacy, but above all because it is right.

AN OUTSTANDING AMERICAN— MAX KAMPELMAN

Mr. MONDALE. Mr. President, an outstanding American, Mr. Max Kampelman, has found it necessary to decline the President's nomination to the post of Chairman of the newly created District of Columbia City Council.

I have known Mr. Kampelman for many years. He is one of the ablest and most public-spirited men I know, and has contributed selflessly over the years to many efforts to better the condition of his fellow man and his country.

Typical of the opinion of those who know him is that expressed by Carl T. Rowan who commented in a recent column:

First, Kampelman is no stranger to Negroes, socially, professionally or otherwise. So he will not be burdened by either arrogance (as some congressmen dealing with District affairs are) or the condescension so often revealed by well-meaning whites trying to tip-toe through the bewildering labyrinth of American race relations.

Kampelman has always been one of the most decent, straightforward men I've ever known. To those qualities he has added the knowledge and wisdom that accrue from being right-hand aide and confidant to Hubert H. Humphrey (as senator and vice president), and from serving as a highly successful lawyer and civic leader.

Mr. President, it is most regrettable that Max Kampelman will not be able to serve the District of Columbia in the post to which he was nominated. However, he discovered that in order to accept the part-time post of Chairman of the City Council he would have to forgo the practice of law so as to not risk the possibility of a conflict of interest.

This was not an easy or happy decision for him, I am sure, but it is one for which we should applaud him. The concern he has demonstrated in this matter reflects the high ethical standards he believes should be required of those serving in public offices.

But even though Max Kampelman has

turned down the chairmanship of the City Council, I know that he will continue to serve both the District of Columbia and the Nation as a concerned citizen and generous human being.

I ask unanimous consent that the Carl T. Rowan article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW DISTRICT OF COLUMBIA REGIME CAN SERVE ALL AMERICA

(By Carl T. Rowan)

WASHINGTON.—I wonder if most Americans are really aware of the implications of the historic changes in the government of this city.

Sure, most people know that President Johnson has named a Negro as mayor and appointed a majority of five Negroes to the nine-member city council here.

But many people seem to think this has national meaning only in that black men will be running a city that belongs to all of a predominantly white nation. This irritates some Americans, but a lot fewer than one would have imagined, even a decade ago.

But the real nationwide significance of the government changes here will be determined by what can be achieved by the new mayor, Walter Washington, in cooperation with a city council chaired by Max Kampelman, a white lawyer. (Kampelman is a former political science instructor at the University of Minnesota and at one time served on a Minneapolis charter reform committee.)

Their challenge is to move with imagination and boldness to improve schooling, housing, job opportunities—to arrest the urban decay that enfolds the nation like some great invisible plague.

The President's choices to lead the new government here were generally excellent, with a notable element of "compromise": He resisted intense pressures to name a "black power" activist to the council, even as he yielded to "black power" demands that he not give a council seat to Sterling Tucker, bright and energetic director of the Washington Urban League.

Even if he were as white as a sheet, Walter Washington would stand eminently qualified for the post of mayor. That he is a black man is merely a factor of *partial* advantage in this city with its Negro majority.

Time will prove that the President showed remarkable sagacity in choosing Kampelman to head the city council. I doubt that Mr. Johnson could have found a man whose personal and intellectual qualities are better suited to the task ahead.

First, Kampelman is no stranger to Negroes, socially, professionally or otherwise. So he will not be burdened by either arrogance (as some congressmen dealing with District affairs are) or the condescension so often revealed by well-meaning whites trying to tip-toe through the bewildering labyrinth of American race relations.

Kampelman has always been one of the most decent, straightforward men I've ever known. To those qualities he has added the knowledge and wisdom that accrue from being right-hand aide and confidant to Hubert H. Humphrey (as senator and vice-president), and from serving as a highly successful lawyer and civic leader.

So Mayor Washington and Kampelman will be able to work together as men, as friends, as equals sharing the responsibility for making the city that symbolizes American democracy gleam, as gleam it should.

The major barrier to their success will remain the U.S. Congress where, for their own benighted reasons, some members will hope that the new leadership makes a royal mess of running the District.

But neither Washington nor Kampelman is a babe in the woods. Kampelman, particularly, knows all about the congressional booby traps.

Along with the deputy mayor, Thomas Fletcher, and the other councilmen, Washington and Kampelman face both a major challenge and an exciting opportunity to serve not merely the federal capital, but the whole nation.

SALUTE TO ITALIAN-AMERICANS

Mr. FANNIN. Mr. President, today, when we celebrate the 475th anniversary of Christopher Columbus' discovery of America, we are honoring a man whose courage and determination made the American dream possible. But in a far bigger sense, we are honoring the millions of Italian-Americans who, ever since that historic day in 1492, have helped shape the face and character of American life. It was of course another Italian, navigator Amerigo Vespucci, after whom America is named.

In the beginning, the Italians who flocked here were mostly men of the cloth and of the land, missionaries and farmers. And their influence was great. They brought with them a heritage and culture that went back to the glory of Rome. And we are a better country today for it.

At every stage in our history, and especially during the periods of doubt and crisis, Italian-Americans have served their country well. Many have risen to positions of prominence in almost every field, from government to business, from the arts to sports, from education to the other professions. Their influence has been so incorporated into America that many of our ways of life, and many of the products we use, have a flavor that is distinctly, uniquely Italian. And as a nation we are better for it.

I honor Columbus today for the great deed he did. But I also honor the millions of Americans of Italian extraction who every day make this a better place to live. We are indebted to them.

ELECTION HOLIDAY

Mr. CANNON. Mr. President, I have long been concerned with making the electoral process more meaningful to the American public. The Senate recently took a major step in this direction with the passage of the Election Reform Act of 1967 revising unrealistic campaign expenditure limitations and disclosure provisions.

Another step toward election reform that merits congressional study and consideration is the declaration of a 24-hour national voting holiday to enable every eligible American citizen to exercise the right to vote in national elections. As pointed out this morning by a Washington Post editorial, limitations of time and distance prevent millions of eligible voters from getting to the polls. While it is the responsibility of eligible voters to express their opinions at the polls, it is also the responsibility of our Government to provide our citizens with the opportunity to express these opinions. An election holiday could be the most effective

means of achieving the goal of greater voter participation in national elections, although, as the Post suggests, there may be valid objections to such a proposal.

Mr. President, I want to call to the attention of my colleagues both the pro and con arguments in the Post editorial, and I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 12, 1967]

ELECTION HOLIDAY?

Following the lead of the National Governors Conference, Frank Stanton, president of the Columbia Broadcasting Company, has proposed a Nation-wide 24-hour voting holiday for Federal elections. It is designed to get more people to the polls. The subject needs to be discussed in light of the fact that no more than 64 per cent of our citizens of voting age have ever cast ballots in a presidential election and participation in off-year congressional elections usually falls below 50 per cent.

We think the need for longer voting hours is clearly evident. Long lines moving slowly just before the polls close are a common sight in many congested areas. Commuters sometimes lose their vote because they work at points distant from their polling place. Mr. Stanton notes that 20 states do not require employers to give employees time off for voting, and since every election day is a working day this may account for a large number of lost votes.

The chief question about making election day a national holiday is whether this would induce people to go to resorts instead of the polls. If so, the purpose of encouraging participation in the democratic process might be defeated. Elections are not held in the vacation season, however, and if it were made clear that a day off was granted solely to facilitate voting the occasion might acquire a civic and patriotic symbolism.

One purpose of keeping the polls open for the same 24-hour period throughout the country would be to eliminate all danger that the release of early returns in the East might influence voters still going to the polls in the West. That objective doubtless has some importance, but both the uniform timing and the holiday idea seem to us less vital than longer polling hours and compulsory release of employees for whatever period is necessary to cast a ballot.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. Without objection, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

The Senate resumed the consideration of the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, with the full approval of the distinguished Senator from New York [Mr. JAVITS], I ask unanimous consent that the distinguished Senator from Mississippi [Mr. EASTLAND] be recognized for up to 30 minutes when, at the conclusion of his remarks, the Senator from New York [Mr. JAVITS] will be recognized for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

BLACK POWER AND THE COMMUNISTS

Mr. EASTLAND. Mr. President, the drive for Negro revolution in this country is moving toward a climax.

We have seen the pace of this drive greatly accelerated during the present year. Now we face the prospect that a climax may come in 1968.

The forces which have shaped, moulded, and influenced this drive, and which now to a very substantial extent control it, have plans which involve major racial disturbances, of riot proportions, in some 20 cities of this country next year.

These forces to which I have referred are complex in their power structure. From a tactical standpoint, their plans also are complex.

Strategically, their planned objectives are not especially complicated.

The primary objective is acquisition of power by the Communists.

In the long-range view, this objective keys in with the Communist purpose of overthrowing the Government of the United States. In the shorter view, this objective embraces the acquisition of political power both by the Communist Party itself and by other leftwing elements which the party can control or sway as well as an increase in both the scope and force of Communist power and influence among such leftwing elements.

Secondary objectives include breaking down the existing power structure in the United States, and the continued building up of racial tensions until a state of virtual anarchy has been reached.

In furtherance of one or both of these secondary objectives, the Communists have set up a number of subordinate goals.

One such goal is establishment and maintenance of a front which shall appear to be wholly under Negro control, to be used as both a rallying point and a control mechanism for various so-called black power organizations, through which it is hoped to swing a substantial majority of the Negro population of this country into line as servants of the Communist conspiracy.

Another subordinate goal of the Communists is to bring about the collapse of law and order in this country by fostering increased disrespect for law enforcement agencies while at the same time confronting these agencies with major law enforcement problems and, collaterally, seeking to weaken the firmness and resolve of those charged with law enforcement at all levels of government.

Another Communist goal is the strengthening of political power in the hands of extremists, both of the right and of the left; for the Communists know they can gain almost as much through reaction against right extremism as they can through the fulminations of left extremists.

The current and growing emphasis on violence in the so-called civil rights area is an integral part of the Communist program.

The rank and file of most black power organizations in this country, and even many of the leaders of such organizations, still are congratulating themselves on what they believe was a major victory for the black power movement, through what they regard as the success of the so-called black power caucus in winning control of the National Conference for New Politics, at that organization's convention in Chicago last month.

On this respect, these black power organizations and their leaders have been duped. The whole procedure at Chicago, including the so-called victory of the black power caucus, was just window-dressing. It was a maneuver worked out in advance by the real manipulators of the NCNP, with the aid and counsel of Communist tacticians, for the sole purpose of making the National Conference for New Politics appear to be a black-controlled organization, and therefore acceptable, as a rallying point, to both the so-called black power organizations and other Negro organizations, as well as to the unorganized masses of the Negro population in this country.

For many years the Communists have tried to win major influence among Negro groups in the United States. One reason they have not notably succeeded in this effort, until very recent years, has been the failure of the Communist Party to provide adequate black leadership for its attempted mobilization of the Negro community, and the further fact that where in some instances, black leadership has been provided, its clearly Communist character, and the continued control of the Communist Party itself by white intellectuals and activists, have militated against widespread acceptance of the party and its leaders by even a substantial cross-section of the Negro population.

To whatever extent the fancy window-dressing with which the National Conference for New Politics has been provided, through the maneuvers which culminated in the alleged black power victory at Chicago, succeeds in fooling the Negroes of this Nation, and especially the black power organizations and their leaders, the Communists will have achieved their greatest opportunity yet to induce American Negroes to accept leadership which is actually though not nominally, Communist in essence.

The Communists now have substantial footholds in several leftwing organizations in which substantial numbers of Negroes are participating, as well as in various other organizations which are either ostensibly all Negro or ostensibly Negro controlled.

Among the former group—what we might call mixed organizations—in which the Communists exercise complete

or substantial control, are the DuBois Clubs, which represent a Communist-front operation; the Socialist Scholars Conferences, which like the National Conference for New Politics had early roots in Santa Barbara, Calif., and still receive nourishment and guidance from sources connected with the Center for the Study of Democratic Institutions; the Conference of Racial Equality, which in the area of its operations is in almost complete cooperation with the Communists; the Southern Conference Educational Fund, Inc., which makes substantial contributions to various so-called civil rights organizations, but which is under effective Communist domination; the Student Nonviolent Coordinating Committee, which at the local level is Communist infiltrated in varying degrees, and at the national level is cooperating fully with the Communists; the Mississippi Freedom Democratic Party, which in some respects serves Communist purposes as well as an actual arm of the Communist Party; and the National Conference for New Politics, which in spite of the purported takeover of power by the so-called black power caucus remains under the control of white socialists and Communists, and is functioning as an instrument for the attainment of Communist objectives.

Among organizations ostensibly all Negro or Negro controlled which also are instruments of Communists policy are the Revolutionary Action Movement—RAM—whose "chairman in exile" is the ex-patriate American Negro Communist Robert Franklin Williams, who after some years in exile in Cuba is now in Red China; Deacons for Defense, which is Communist infiltrated and has accepted disguised Communist assistance to a substantial degree; the so-called Black Panther movement, in which the Communists have influence through infiltration; and the so-called New Breed, whose present leader, David Reed, was chosen at a secret caucus where Communists not only participated in the vote, but exercised such power that after Reed had been defeated on the first vote, the election of his opponent was declared null and void, and a second vote was taken which resulted in Reed's selection.

Now, Mr. President, let me go back to the subject of the National Conference for New Politics.

The National Conference for New Politics grew out of a meeting of militant leftwing leaders at Santa Barbara, Calif., in August of 1965; a meeting which was hosted and partially subsidized by the Center for the Study of Democratic Institutions. One of the leaders at this meeting was Stokely Carmichael, of the Student Nonviolent Coordinating Committee, the same Carmichael who in August of this year broadcast to the United States, from a microphone in Cuba, a call for "total revolution" in this country.

Soon after the Santa Barbara meeting, control of organizational activity in connection with the National Conference for New Politics was transferred to the Institute for Policy Studies, in Washington, D.C., run by Arthur Waskow, one of the earliest proponents of adoption by this country of a policy of unilateral disarmament.

The next step was taken when the Committee for Independent Political Action sponsored a nationwide organizational meeting for the NCNP. This meeting was held in Chicago on January 15, 1966. More than 800 delegates, representing a number of important leftwing organizations, participated in what was billed as an "organizing conference" of the Committee for Independent Political Action.

Among the organizations represented at this organizing conference for CIPA were the Student Nonviolent Coordinating Committee; the Southern Christian Leadership Conference; the Illinois Communist Party; the Chicago Area DuBois Club of America, characterized by the FBI as a Communist Party youth front; the so-called New Breed, a militantly racist, Black Nationalist organization; the Chicago Area Women for Peace, which put itself on record in January 1966 as favoring a ceasefire in Vietnam and recognition of the National Liberation Front, a Vietnamese Communist organization; the black nationalist organization known as Black Panthers; the Deacons for Defense, a Negro paramilitary organization which drills its members in use of firearms; the American Friends Service Committee; Students for a Democratic Society; a Negro organization known as the American Labor Council; an organization called Voters of Illinois, which is an affiliate of Americans for Democratic Action; and two labor unions, the Shoe and Leather Workers Union and the United Packinghouse Workers.

Also in attendance were Congregational, Lutheran, and Roman Catholic clergymen who had been active in the civil rights movement; representatives of the American Friends Service Committee; and a number of individuals who have won national notoriety as a result of their participation in so-called civil rights demonstrations and in agitation against U.S. activity in Vietnam.

Cochairmen of this CIPA organizing conference were Prof. Robert J. Havighurst, professor of education at the University of Illinois, and Dick Gregory, politically ambitious Negro comedian.

Dick Gregory was keynote speaker at the conference. Other speakers included Paul Lauter, a staff worker for the American Friends Service Committee; James Bevel, staff director of the Chicago project of the Southern Christian Leadership Conference, and principal lieutenant of Martin Luther King; Robert Rossin of SDS; Sidney Lens, leftwing writer and one of the founders of the Fair Play for Cuba Committee; Lawrence Landry, national chairman of ACT; Associated Community Teams—Charles Cobb, field secretary of the Student Nonviolent Coordinating Committee, and campaign manager for Julian Bond; Monroe Sharp, director of the Chicago chapter of SNCC; and Henry Wineberg, chairman of the Chicago Peace Council.

At the CIPA organizing conference, 45 persons were elected as members of the executive committee of the CIPA. Among those so elected were the following:

Richard L. Criley, a former district educational director of the CIO, who once headed the Young Communist

League of California, was expelled from Local 28 of United Packinghouse Workers in October 1945 on the ground that he was a Communist, and who was identified as a member of the Communist Party in sworn testimony given before the House Committee on Un-American Activities in May 1965;

Fred Fine, former member of the National Committee of the Communist Party, U.S.A., who was one of those convicted and sentenced, under the Smith Act, for membership in an organization advocating overthrow of the Government of the United States by force and violence;

Mrs. Sylvia Woods, a longtime leader of the CPUSA in Illinois, who openly boasted, at the CIPA organizing conference, that she "stole 10,000 votes from the machine" as a candidate for the Illinois Legislature in 1946;

Lawrence Landry, who as national chairman of ACT was reported by the press as one of the main inciters of the 1965 riots in Chicago, and who acted as chairman of a workshop session at the CIPA organizing conference which he opened with what may have been the first recorded mention of "black power" by a Negro leader, when he said:

Power is something you have to take. I am here to talk about black power.

Nahaz Rogers, another Negro leader who rose to prominence because of his activities in connection with the 1965 Chicago riots, and who followed up Landry's opening declaration at the CIPA workshop meeting by declaring:

We are not here to do good. We are here to seize power. Don't ask us what we'll do with it when we get it. First we have to get it.

One of the participants in this secret workshop session at the CIPA conference was Frank Ditto, a Negro racist who participated in the march from Selma to Montgomery, Ala., in March 1965, and who in September 1965 was active in Chicago as a leader of almost daily demonstrations under the aegis of the so-called Coordinating Committee of Community Organizations Against Mayor Daley. Frank Ditto's racism is not confined to the issue of black versus white. He showed up at the CIPA conference in an orange jacket bearing the initials "K.A.K." Jackets bearing this same insignia were worn by Negroes who participated in the riot in the Watts area of Los Angeles. The initials "K.A.K." stand for "Kill All Kikes," and mark any wearer of this insignia as openly and violently anti-Semitic.

At the secret workshop session to which I have referred, which took place during the CIPA conference in January 1966, assurances of financial support were given by Sidney Lens, who was exposed in October 1965 as a leader of the National Teach-In on the Vietnam war and who had admitted before the Internal Security Subcommittee in February 1963 that he had been one of the founders of the Fair Play for Cuba Committee. Mr. Lens' assurance to the CIPA conference that "we can get the money to support our candidates" must have been encouraging to those who knew that the formation of the Fair Play for Cuba

Committee had been financed by the Communist Government of Cuba.

Obviously, substantial sums of money were raised. Plans made at the CIPA organizing conference in January 1966, came to fruition when the National Conference for New Politics held its convention in Chicago over the Labor Day weekend this year.

That convention got a good deal of press coverage, and I shall not take the time here to recapitulate what the press reported, because I am sure most of my colleagues are familiar with it. It is unfortunate that most of the press accounts of the NCNP convention missed the real story, and make it appear that black power forces have won a real victory. But I have already made my point in that regard, so let me move on to discuss some conferences which were not nearly so well reported on the NCNP convention.

For 3 years, there has been a so-called Annual Conference of Socialist Scholars in New York City.

The First Annual Conference of Socialist Scholars was held on September 11 and 12, 1965. The Second Annual Conference of Socialist Scholars lasted 3 days, September 9th to 11th, inclusive, 1966. The Third Annual Conference of Socialist Scholars took place on September 9th and 10th of 1967.

There were only a few hundred in attendance at the First Annual Conference of Socialist Scholars. But more than 2,000 were registered at the second conference, and an equal or larger number registered at the third conference.

The first Annual Socialist Scholars Conference was subsidized by the Louis M. Rabinowitz Foundation. This is a family foundation. Victor Rabinowitz, present head of the foundation, is a member of the firm of Rabinowitz & Boudin, which has registered under the Foreign Agents Registered Act, as agents for the Castro Government of Cuba.

The theme of the First Annual Conference of Socialist Scholars was "The Future of American Socialism" and a panel discussion under this title took place on the afternoon of the second day of the conference, under the leadership of Prof. Staughton Lynd, of Yale University.

Among the organizations with which Prof. Staughton Lynd has affiliated have been American Youth for Democracy, cited as subversive by the Attorney General of the United States; the Socialist Worker's Party, cited as subversive by the Attorney General of the United States; and the Progressive Labor Movement, now known as the Progressive Labor Party, which under both names has been operated as an openly pro-Red Chinese organization.

In August 1965 Professor Lynd was arrested for trying to break through police barricades at the Capitol in Washington, D.C., while participating in a demonstration march against U.S. policy in Vietnam.

The three other members of the panel discussing "The Future of American Socialism" at the First Annual Conference of Socialist Scholars were:

Herbert Aptheker, of the American Institute of Marxist Studies, a longtime

top-level functionary of the Communist Party, U.S.A., and the father of Bettina Aptheker, who gained national notoriety for her participation in the student riots on the Berkeley campus of the University of California;

Sylvester Leaks, of the Harlem Writer's Guild;

Norman Fruchter, editor of the publication entitled "Studies on the Left" which stated in its spring 1965 issue that it "focuses on specific problems of social revolution in this country" and that this "makes the magazine identify with insurgent forces," defined as "people in the civil rights movement, community unions, trade unions, student organizations, radical intellectuals, and artists"; and

Prof. Eugene D. Genovese, of the history department of Rutgers University, who gained notoriety when he declared, at a so-called teach-in on the Rutgers campus in April 1965:

I am a Marxist and a Socialist. I do not fear or regret the impending Viet Cong victory in Vietnam. I welcome it.

Leading off the panel discussion on "The Future of American Socialism" at the first Annual Conference of Socialist Scholars, Prof. Staughton Lynd declared that "guerrilla warfare has become a substitute for the breakdown of capitalism" which Marxist theory predicted, and that the only technique for bringing about a better world must be "revolutionary instead of reformist." Urging the "daring and inventive use of civil disobedience," Professor Lynd said it is "reasonable to expect the American Government will wage war at home," and suggested that "every teacher who calls himself a socialist" has "a duty to become a professional revolutionary."

Following Professor Lynd to the rostrum, Dr. Herbert Aptheker praised Lynd's paper, and declared:

Not in 30 years has there been such interest in radicalism as there is today, such a sense of confidence, of mass involvement in the radicalization of the United States.

Prof. Eugene D. Genovese followed Aptheker and predicted that "American imperialism will become increasingly vicious against the underdeveloped nations and colored peoples," who said that "we have good reason to suspect American imperialism will be pushed back, and who asserted: "We are part of a worldwide movement and our activist allies will help us."

Norman Fruchter, editor of "Studies on the Left," who took the microphone from Dr. Genovese, declared:

We have a guerrilla movement in the United States now.

Referring to the Watts riot, Fruchter said:

There will be six or seven more cities kicked off in this way.

I submit, Mr. President, there was a rather knowledgeable prediction to have been made in September of 1965.

The last analyst, who followed Fruchter, was Sylvester Leaks of the Harlem Writer's Guild. Leaks, who had been associated with the Black Muslim leader, Malcolm X, started out by declaring:

I'm not nonviolent. My leader was assassinated.

Leaks declared that the Negroes in this country "should go to war now," and that the slogan they need is "Burn, baby, burn." He said:

We've got to stop the murderous, barbarous, American-imposed war in Vietnam.

He said:

I believe we've got to tear the system down, now.

What is needed, Leaks asserted, is "a complete dismantling of the old morality."

The white man won't dismantle it—

He declared—

and so the black man has to do it.

Concluding, Leaks declared:

You had better come to terms with the revolutionary black movement, or else.

At the Second Annual Conference of Socialist Scholars, Communist functionary Herbert Aptheker was again a leading participant. This time his fellow participants included identified Communist and former Soviet espionage agent Victor Perlo; longtime Trotskyite and radical Marxist Isaac Deutscher, from London, England; as well as Prof. Eugene D. Genovese, a veteran of the First Socialist Scholars Conference.

Among other participants at the second Conference of Socialist Scholars in September 1966, were a number of leaders of SDS—Students for a Democratic Society—who were active in circulating the SDS document proposing what they called a radical education project, which was a sort of blueprint for breaking down the morality of American youth.

To give some of the flavor of this second Conference of Socialist Scholars, let me recount just a few of the things that were said at the conference.

Isaac Deutscher, the London Marxist, called for "complete freedom of sexual life that will abolish the family," and called for "destruction of the monogamic bourgeois family as we know it."

An assistant professor of economics named Shane Mage urged that American youth follow the advice of Timothy Leary, who was ousted from the faculty of Harvard University after a marihuana conviction, and used LSD and marihuana to "turn on, tune in, drop out."

Deutscher said that after fatherhood "has come to be regarded only as biological," and parental authority is recognized as merely an outmoded social institution to be gotten rid of, "Socialist man will be exempt from worship and awe," and "the bourgeois form of the patriarchal family" will be obliterated.

A paper prepared by Prof. Herbert Marcuse, of the University of California in San Diego, and read in his absence because he was busy attending a Communist meeting in Prague, urged development of "the moral-sexual rebellion of the youth."

James Petras, one of the leaders of the free-speech movement at the University of California in Berkeley, participating in a panel discussion, said one of the important components of the con-

temporary revolutionary movement is "the role of the sons of professional and aristocratic families in Latin America as revolutionary warfare guerrilla leaders."

James Haughton, director of the Harlem Unemployment Center in New York City, addressing a panel of the second Conference of Socialist Scholars, said the United States was engaged in "genocide against Vietnam," declared that "American imperialism" is "the enemy of poor people," and charged that "wherever the American octopus reaches out its tentacles, there you will find exploitation, cruelty, poverty, and mass impoverishment."

Haughton told his "Socialist scholar" listeners that "in 1967 the administration will learn about riots in the streets."

The riots which took place in the 1930's—

He declared—

won't be anything compared to 1967.

Prof. Richard A. Cloward of Columbia University, who is a member of the Citizens Crusade Against Poverty, a group organized by Walter Reuther, presented a paper calling for a "systematic strategy" of "irregular and disruptive tactics" designed to lead the poor people of this country to "overburden" State and local governments with "demands" so that there will be constantly increasing calls upon the Federal Treasury for welfare funds.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. BYRD of West Virginia. Mr. President, I am glad that the Senator has made reference to Professor Cloward. I have called attention to his program twice—once last year, and once within the last few days.

Mr. EASTLAND. I thank my friend and colleague, the Senator from West Virginia.

This material shows that the agitation and the riots in the country are Communist inspired. The disorder, agitation, and riots are highly organized and are directed by the Communist Party.

Prof. William Ryan, of Yale University, declared himself "enchanted" with what he called "the Cloward strategy of blowing a fuse in the welfare agencies, housing developments, and among unmarried mothers."

Sherman Barr, of Mobilization for Youth, told the Socialist scholars that his organization was using welfare techniques by means of which "further demand is stimulated rather than decreased."

Dr. Frances Piven of Columbia University declared:

I really only want to make one point—the disruption of the system. Welfare rolls will begin to go up; welfare payments will begin to go up; the impact will be very sharp. The mounting welfare budget will increase taxes, will force cities to turn to the Federal Government. We have to help people to make claims; for this they will organize and act.

The Radical Education Project of Students for a Democratic Society circulated, at the second conference of Socialist Scholars, a letter from its head-

quarters at Ann Arbor, Mich., dated August 18, 1966, which spoke of creating "a network of people in the United States and abroad, closely tuned to international events, who will serve the movement as quick, incisive sources of intelligence." This letter declared:

Already we have contacts in Japan, most European countries, Canada, and with Guatemalan guerrillas, Vietnamese rebels and neutrals, African Nationalists, and others. These contacts are being extended, and to them we must add American scholars with specialized knowledge and contacts.

Prof. Eugene D. Genovese, of Rutgers University urged, as his contribution to the second annual conference of Socialist Scholars that American Negroes adopt "a policy of black nationalism."

At the third annual conference of Socialist Scholars, in September 1967, the guest of honor was Owen Lattimore, now of Leeds, England. This is the same Lattimore who was characterized by the Senate Internal Security Subcommittee in 1952 as having been "a conscious, articulate instrument of the Soviet conspiracy."

Second in importance only to Lattimore, the third annual conference of Socialist Scholars had two guests from the Soviet Union, Timor Timofeev and Yuri Zamoshkin, of Moscow's Institute of World Labor.

Even without counting those guests from abroad, the third annual conference of Socialist Scholars had a higher proportion of open participation by Communists than either of the two preceding conferences.

The official program of the third annual conference of Socialist Scholars carried paid advertisements by various Communist advertisers. It had an ad by the official Communist publishing house, International Publishers, Inc. It had an ad by the Communist publication Science and Society. It also had an ad by the American Institute for Marxist Studies, of which Communist functionary Herbert Aptheker is director.

Interlocking between the National Conference for New Politics and the Socialist Scholars conference was clearly evident from the relatively large number of persons who attended both the Chicago convention of the NCNP, over the Labor Day weekend this year, and the third conference of Socialist Scholars, which took place in New York City the following week.

Here are a few of the things that happened at the third annual conference of Socialist Scholars:

Michael Harrington, chairman of the board of the League for Industrial Democracy, which is the parent organization of Students for a Democratic Society, now one of the most effective pro-Communist organizations on American college campuses, declared:

We have to make a revolution for the entire society.

And said it is necessary to create—a reformist liberal-labor political and intellectual coalition for future success of the American socialist revolution.

Hyman Lumer, national education secretary of the Communist Party, U.S.A.,

argued for radicalism, rather than reformism, in moving toward national revolution in the United States.

Stanley Aronowitz, chairman of New York City's West Side Committee for Independent Political Action, asserted that "only a revolutionary action group" could attain Socialist objectives in America, and called for destruction of "the existing structure of power and authority" in the United States. Aronowitz attacked the police as "the arm of the ruling class in the ghettos," and called policemen "the oppressors" of Negro communities.

Owen Lattimore told his Socialist Scholar listeners that it is neither the Soviet Union nor Red China, but the United States which is "expansionist," and asserted that present-day subjects of U.S. expansionism include Guam, Japan, and the Philippines.

Lattimore accused the makers of American foreign policy of what he called "amateur geopolitical thinking," which he contrasted unfavorably with what he called "the mature, sophisticated understanding of world politics," by "the great Lenin."

Plans for burning down 20 American cities in 1968 were discussed at a black power panel session of the third annual conference of Socialist Scholars. James Boggs of Detroit was chairman of this session. Other panelists were Ivanhoe Donaldson, who was campaign manager for Julian Bond in Georgia; Gilbert Osofky of the University of Illinois at Chicago; and Raymond S. Franklin of Queens College.

James Boggs defined "black power" as "a force repudiating all existing law and order in this society," and asserted that black power organizations "will force America's present power structure to increase militia and police" beyond its capacity by bringing "military struggle in the streets" to "not a few cities, but to 20 cities" in 1968.

Either you are with the revolution or you are not—

Boggs declared.

There is no in between. The United States as a Nation is a counter-revolution.

Ivanhoe Donaldson, who is a member of the Student Nonviolent Coordinating Committee as well as a member of the steering committee of the recent Chicago convention of the National Conference for New Politics, referred to the existing social and governmental structure in the United States with the assertion:

Our position is, tear it down because we don't want to be a part of it.

Declaring the riots in Newark and Detroit this year had put a "strain" on law enforcement agencies, Donaldson said that—

Next year two or three Detroit's at the same time are going to pin down the American forces.

Donaldson said "revolutionary forces" would be involved in "the struggle" in 20 U.S. cities in 1968, and that these forces would not confine themselves to black areas, but would "go downtown and begin to burn down the white ghetto banks and draft centers."

After this panel session, Boggs announced that a black power meeting

would convene immediately, for the purpose of planning "how to do things now and next year." Attendance at this meeting, he said, would be limited to Negroes.

I do not know exactly what was planned at that meeting, from which all whites were barred. But I do know something which may be pertinent.

The secret leaders of the National Conference for New Politics, and the secret leaders of the Socialist Scholars conferences, who are not identical, regard the march on Washington which is scheduled for October 21, under the open auspices of the Student Mobilization Committee of New York, as a probe to determine the nature and quality of resistance at the heart of Government.

This march on Washington, which is being planned to encompass penetration of both the Pentagon and the House and Senate Office Buildings, has been the subject of various estimates, by its sponsors, as to the total number who will participate. These estimates have run as high as 200,000. Probably a much more realistic estimate would be that the total number of demonstrators in this Washington march will range between 25,000 and 40,000.

In coordination with the march, plans have been made for attacks on American consulates and Embassies around the world, which also are scheduled to take place on October 21.

Although the October 21 march on Washington has been publicized as a protest against U.S. policy in Vietnam, a tactic which has gained it much support from various pacifist groups, the real objective is to determine how law-enforcement officials in the National Capital will handle unlawful demonstrations—how much force will be used, when and where it will be applied, and what police tactics will be brought into play for controlling the demonstrators.

Now, Mr. President, I desire to make brief mention of still another conference.

On August 24, 1967, the Center for the Study of Democratic Institutions, at Santa Barbara, Calif., played host to a conference of alleged "militant student leaders and ex-students." The objective of this conference, according to the Santa Barbara News-Press of August 24, 1967, was "a master plan of how best to destroy the American university system as it is today."

All participants in this conference, according to the News-Press, "were described by the center as having been prominent in demonstrations and movements within their own colleges and universities."

The keynote for the conference appears to have been set by one Devereaux Kennedy, described as president of the student body at Washington University, St. Louis, Mo. According to the Santa Barbara News-Press, Devereaux Kennedy "called for outright revolution and the overthrow of the U.S. Government," and "advocated terrorism on such a scale that it would demoralize and castrate America."

Mr. President, it may seem to some that I have been talking about separate and unrelated activities by separate and

unrelated organizations. This is not the case. The organizations to which I have referred are not wholly separate and unrelated. On the contrary, they are in a very real sense merely different manifestations of a major sickness which has gripped this country with increasing virulence in the last few years. They are all a part of the so-called new left. Their efforts are not uncoordinated. On the contrary, they are very well coordinated, indeed; in part openly coordinated, and to a much greater degree, secretly coordinated.

What I have said here is not the whole story. It is only part of the story—just some of the highlights. There is a very great deal more which remains to be told.

It has not been my purpose to try to tell the whole story, or to tell any part of it in full detail. I have sought only to tell enough of the story to make clear to my colleagues the general shape of the threat which confronts this Nation, and to give some idea of its size and scope.

As I said earlier, the structure of the forces of the so-called new left which confront us is very complex. The most obvious thread which binds these forces together is the guidance and support which they receive from the world Communist conspiracy.

In the whole widespread gamut of their activities, mutually helpful one to another, these organizations are operating today in furtherance of the basic Communist purpose of overthrowing the Government of the United States.

The grasp of the new left for political power will, if successful, have the Communist Party as its greatest beneficiary.

The plans of the new left for bringing about a progressive breakdown of law and order in all parts of this Nation: the scheme for temporarily disrupting the normal conduct of business in the Pentagon and in the Halls of Congress on October 21; the program for bringing riot, arson, and bloodshed to a score of American cities in 1968; the almost Machiavellian plan for breaking down welfare services by overloading them with constantly increasing demands; all of these activities of the new left must be regarded as factors which operate to advance Communist objectives.

We must not be like the man who could not see the forest for the trees.

Unless we see this whole picture clearly; unless we recognize this situation as presenting the gravest threat this Nation has faced in a century; unless we can manage to bring about such widespread public knowledge and understanding of this threat that the people of this country demand that their leaders oppose it forthrightly and effectively, so that this whole free Nation may, in Lincoln's words, go forward "with firmness in the right as God gives us to see the right," we are quite likely to find ourselves unwilling but helpless spectators at the transformation of this country we love into something tragically different from the free Nation, under God, which our forefathers created nearly two centuries ago, and which the young and the strong in every generation, our bravest and our best, have fought to preserve and protect.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Under the order previously entered the Senator from New York is recognized for 30 minutes.

VIETNAM: SUMMED UP

Mr. JAVITS. Mr. President, I wish to speak today on the struggle in Vietnam which has been so great a subject of debate in this Chamber in the past 10 days. It seems to me that a summing up is essential.

How is it that the United States—the world's greatest power—has been unable to achieve its objectives in the Vietnam war despite the enormous effort we have made? It is this paradox which so confuses and divides our Nation. It is a question which requires some reexamination. In my judgment, a great deal of what the administration says about the war—and a great deal that the critics say about the war—is peripheral or irrelevant to the actualities of the situation we face in Vietnam.

Last week the minority leader spoke eloquently in defense of the President's Vietnam policy. I have carefully considered his words, not only because he is my party's leader but because every Senator has learned to respect him. As I understand it, the minority leader based his support of the President on the view that South Vietnam is an essential link in the U.S. defense perimeter in Asia, therefore, if Vietnam should be lost to the Communists there would be a dangerous hole in our defenses and Hawaii, even California would be exposed to Communist Chinese attack.

Nonetheless, I am unable to reconcile my minority leader's position with certain statements of the administration itself.

Secretary Rusk has repeatedly stated that the United States would accept the results if the Communists won control of South Vietnam through free elections. In view of President Eisenhower's judgment that Ho Chi Minh would have won 80 percent of the vote in 1954, Secretary Rusk's statements are of considerable significance. If the United States would accept a Communist victory in South Vietnam achieved through elections, why would Communist domination achieved by other means be an unacceptable rupture of our vital defense perimeter? I am speaking here only in a strategic context. I am not advocating withdrawal from Vietnam.

I shall fight with all of the energy I have against any Communist success, including electoral success, but I think there is an important question here which we have to examine carefully. Is there any reason to assume that an elected Communist government in South Vietnam would be less of a threat

to its neighbors and to our security interests than a Communist government which gained power by other means?

I hasten to say that I do not think so. I think an elected Communist government would be just as dangerous to our interest and their neighbors. This does bear on the strategy involved because at a minimum there is a clear implication that Vietnam is not vital per se to the security of the United States. Certainly, we are ourselves prepared for participation in public affairs by all the South Vietnamese if there is peace.

I believe that the United States does have interests in Vietnam that are worth fighting for. But I reject the idea that our stakes in Vietnam are worth any price that we might have to pay. Just what price we are willing to pay in Vietnam has become a very relevant question. I do not believe that constitutionally—or by any other standards—the President of the United States has the sole responsibility for deciding this question. The viability of his office does not require immunity from criticism on this issue. There is no such thing as divine right of kings in this country, and I was frankly disturbed by references to the majesterial and regal qualities attributed to the Presidency by some of my colleagues.

The distinctive quality about the Presidency—indeed the very quality which distinguishes it from monarchy—is the requirement that the incumbent retain the confidence of the people. The burden is on him in this regard and if he fails, he is turned out. The fact is that a majority of the people in this country today do not approve of the way the President is handling Vietnam.

President Eisenhower himself, just the other day, spoke of the need to "formulate a more sensible policy on Vietnam." Therefore, suggestions that debate on this vital issue give aid and comfort to the enemy and border on disloyalty cannot be reconciled with the constitutional responsibilities of the U.S. Senate.

Mr. FULBRIGHT. Mr. President, will the Senator from New York yield for a few questions?

Mr. JAVITS. Just so the Senator from Arkansas will not "throw" me, I yield happily to him.

Mr. FULBRIGHT. The Senator from New York is making a great contribution in raising these questions. I am particularly impressed with the point he made as to the inconsistency in our present policy in Vietnam. For example, we have, from time to time said that we believe in self-determination in Indochina. Does the Senator believe that self-determination is so vital that we must hold Vietnam for the future? I think it is certainly important that this issue be clarified.

In connection with the remarks of the Senator, that there should be debate on this matter, certainly that is a very valid point. The criticism that was leveled yesterday by the Speaker of the House and others in recent days, that those who criticize or even seek to clarify our position are, in some way, doing this country harm and are not serving the national interest, is, I think, entirely erro-

neous. I do not agree with it at all. I think the Senator from New York is rendering a valuable service to point that out. Also, that we are not ruled by a monarchy.

Mr. JAVITS. Let me say to my distinguished colleague that the fact he has been willing to engage in this debate, notwithstanding he could stand on his dignity as chairman of the Committee on Foreign Relations and speak from a podium where he would be unchallenged, is a source of great admiration on my part. The Senator and I do not always agree, but when it comes to being a man of spirit, I honor and respect him for it. He yields to no one in that regard.

I am neither a dove nor a hawk. I felt it necessary to say this because I am not afraid of doing what needs to be done. I think that the essence of bipartisan foreign policy is that we want our country to succeed. How can we make it succeed better than by expressing our deep and honest views as to the direction policy should take in order to succeed?

I know that the views of the Senator from Arkansas are that we are very much extended in Vietnam. That is also the view of the Senator from Missouri [Mr. SYMINGTON]. Does that not deal with the basic and fundamental security of the Nation, I ask the chairman of the Foreign Relations Committee? Is Vietnam the only place where we can be threatened?

Mr. FULBRIGHT. Exactly. That is not new. General Gavin, who comes with good credentials in this field, made that point effectively and I thought, persuasively, at the hearings before the committee. He said that we were overextending ourselves by putting so many troops into and so much effort and attention on Vietnam. The only justification for this overextension, it seemed to me, would be that it is vital, really vital, to our defense; that we would be threatened and our security would be threatened, if, for any reason, we gave up our position in Vietnam.

I do not agree at all. I think that is a point that should be made over and over again. But it seemed to be implicit in recent statements by spokesmen for the administration that it is vital. If that is true, it should be tested in debate and everyone should make up their minds about it.

Mr. JAVITS. Let me say to my colleague that he enables me to picture in a few sentences what I consider to be my fundamental point:

I think that the security of that part of the world, in military terms, is extremely desirable. It is not absolutely essential. We have already demonstrated our fidelity to our commitment, by the losses and the casualties we have taken. The total security of the United States does not allow us to make an all-out commitment, including mobilization and complete war, so we can eliminate North Vietnam and kill everyone in it. Everyone knows that we could do that. But we are not warranted in doing that because it would be dangerous and unproductive in the context of the totality of our security interests. We limit our commitment.

The President faces us with a situa-

tion in which he limits it in word but not in policy. If we follow what he says, then we have got to load in there everything it takes, no matter how long it takes.

That is the contribution I should like to make to the debate, that we limit it by the extent to which South Vietnam can help itself. If it is clear that they are not willing to help themselves, at least to the extent that it is a commitment we can accept—considering our stake there—then we have got to consider disengaging and doing something else.

Mr. FULBRIGHT. I think the Senator has put his finger on the crucial point. I would say again that this is not something new. Up until recently—5 years—as General MacArthur and, I believe, Omar Bradley and others, as well as civilian commentators have maintained, our security in this area depends primarily upon naval and air power. We have the whole Pacific for our bases and we have plenty of protection, having the greatest Navy and airpower in the world. We did not need a land base in Asia—a military base on the continent of Asia. Now there seems to be a new development in our national policy. What has happened, what has changed that view? I would think, and I believe the Senator would agree, that 5 years ago nobody was saying it was essential to our physical security that we have a land base on the continent of Asia. I do not recall anyone saying that—

Mr. JAVITS. Neither do I.

Mr. FULBRIGHT. It is a new concept. Has there been a great revival of the so-called Communist conspiracy? Has there been a rejoining of China and Russia? Has there been any evidence of a resurgence of the kind of organized effort made under Stalin up until the time of his death? I think the facts are all to the contrary. There is nothing to indicate a change in the balance of power between the great powers which would indicate a radical change in our policy was required. If we intend to maintain a permanent base on the continent of Asia, we shall have taken on a very major undertaking. I think it will be an overcommitment far beyond our capacity to fulfill over the years.

Mr. JAVITS. Let me say to my colleagues that I think the danger was posed to us in 1965. I might not have reacted the same at the time—I do not think I would, had I been President—but the fact is that the President did react. The reaction has resulted in an unlimited commitment. I cannot see that it justifies stripping ourselves of the option of limiting our commitment. That is the essence of my argument.

Now let me say what I think the danger was. It is true our situation has improved through the fact that South Korea is a success and Taiwan is apparently secure. Both of those were in peril, not 5 years ago, but a decade ago.

Communist China has swallowed up Tibet and has moved against India, and showed signs of success which have since been undone. The situation has improved in Indonesia. I am even willing to give some indirect credit to our stand in Vietnam for the reversal in Indonesia. I be-

lieve the Senator from Arkansas would, also.

But all of those things do not balance out into the kind of danger that required us to undertake a blank check commitment in South Vietnam.

Let us assume that what was done was, on balance—in the President's judgment—worth doing. We are no longer facing that situation. We have demonstrated our good faith that we would fight for an ally which was remotely willing to fight for itself. Now the question is: Shall the commitment be unlimited? I think if Senators could zero in on that question, the American people could understand much better what the critics are driving at. They certainly do not understand the President's side very much.

I would like to have the comment of the Senator from Arkansas on that.

Mr. FULBRIGHT. I would like to comment. I do not wish to open up something irrelevant. Well, it is relevant, perhaps, to bring in the question of Tibet, India, and so forth. We had hearings on that question in 1966 and had some good witnesses. My own conclusions, as a result, were that in the China-India crisis there was a situation in which it was very dubious as to whether India or China precipitated the border clash. It would be very difficult to say which side moved first. But clearly there was no evidence of a determined effort by China to overrun India, because after 3 weeks the Chinese withdrew to the line. This McMahon line goes away back. The British established it. China never considered it a correct border. I do not consider disputes about that line as evidence of a determined aggression against India. I think people like John K. Fairbank supports that, and he is an authority on China.

The Chinese have always felt that that territory belonged to them. We have not felt so strongly that it did not that we would recognize that area as an independent state. This was a dispute between India and China, and I do not think the hostilities there were clear evidence of Chinese aggression.

Then, with regard to Vietnam, the assumption seems to be that this whole war arose out of a Chinese aggression. This is not historically correct. The war in Vietnam arose out of a colonial war against France, to begin with. It began even before, in a revolutionary sense, without actual, open warfare, before the end of World War II. But, beginning in 1946, hostilities there developed into typical colonial warfare, the Vietnamese against the French.

I think the Senator will agree that it was not a case of China seeking to overrun Vietnam.

Mr. JAVITS. No, but I think Ho Chi Minh had identity with the Communist ideology.

Mr. FULBRIGHT. Yes, but he had become a Communist in France. He was not a Chinese and there is no evidence he was a puppet of the Chinese. In fact, Vietnam for 1,000 years had been independent of China before the French occupied that area in 1895. So to say this was a great movement on the part of China is not, I think, historically correct.

For the purpose of argument, if the fighting in Vietnam is not a Chinese movement, but an indigenous effort at independence from colonial rule, then I do not think that what goes on there can be used as evidence that the United States is holding back a great effort of the international Communist conspiracy. We intervened in Vietnam in what was essentially a civil war that resulted from a colonial war. The Vietnamese thought they had won a colonial war in 1954. Almost everyone thought, at Geneva, the Communists were going to take it over. Then we intervened to prevent that. This is a crucial point—the point being whether we are holding back an on-rushing tide of Communists or are involved in an indigenous civil war between two competing factions. If it is the latter, then I think the other point that our purpose is to hold back the Chinese hordes is not valid.

Mr. JAVITS. I do not think the case is that open and shut. That is why I speak of the limitation of our commitment and why we must find a way of phasing it out. I will tell the Senator why. I agree with the Senator's factual development, but it is also a fact that we saw a vacuum of power being created. If Ho Chi Minh succeeded, with the natural alliance of Ho Chi Minh with the Communist Chinese, we felt at that time that vacuum of power would engulf not only Vietnam, Cambodia, and Laos, but also might engulf Malaysia, Burma, and Thailand. That is why the President, on a very close question, made the decision he did.

I think we must, as we debate the matter—as lawyers do—give ourselves the worst of the facts in order to see whether, testing it on that score, we are doing the right thing.

I submit that perhaps the Senator places a burden on himself which is too great. The American people are not with him on that—that we merely intervened in a civil war and nothing else was at stake. It was a close decision. I do not know that I would have interpreted it that way, but the President felt that intervention was called for. But, having so decided and having put 500,000 men there, I do not think the American people are saying that we will make this an all-out commitment, win all the way. That is why we have taken the position we are in there, to help the South Vietnamese; but if they will not help themselves, then what power on earth can do it for them?

Mr. FULBRIGHT. I agree with the Senator's putting it that way, but I do think it has some significance, in trying to determine what our policy should be, to determine whether our staying there is because it is essentially a part of our defense perimeter. If it is, that means we are going to stay there come hell or high water. I do not accept that, and I do not think the Senator does.

Mr. JAVITS. That is correct.

I thank the Senator.

Mr. FULBRIGHT. I thank the Senator.

Mr. JAVITS. Mr. President, it is inherent in the concept of bipartisan foreign policy that there be debate, criticism, and suggestion of alternatives. Traditionally this has not caused any

diminution of the stature and prestige of the office of the Presidency. Any diminution of that office is something with which the incumbent has the widest range of power and instrumentalities to deal. No other view of the situation should be permitted to be used to beg the question of what is the best policy for the United States in Vietnam. Nor should it be used to inhibit Members of the Congress who are charged with the very responsibility of discussing such issue freely and openly—always, of course, within the bounds of respect for the office and the President.

The Senator from New Jersey [Mr. CASE] and the Senator from Kentucky [Mr. COOPER] have performed a service in their eloquent testimony to the erosion of public confidence in the administration's handling of the Vietnam war.

They have focused attention on the failures of the administration to pursue all opportunities to initiate negotiations and its incapacity to bring the struggle to a satisfactory conclusion. Their suggestions require action by us and by others, with no assurance that the others will respond. While we pursue those lines, we need also a fundamental policy which is in our own power to shape and which gives us the full range of options to which we, as the major power engaged in the war are entitled.

In that regard, Mr. President, the majority leader has sent to all Senators a very eloquent letter with relation to the possible intercession in this matter of the United Nations. Without seeking to join him in any way—which it would be most unfair to do—with the views of the Senator from New Jersey and the Senator from Kentucky as to the performance of the administration, it is, nonetheless, a fact that here is another suggestion which should also be explored. There is no contradiction in the idea of the limitation of our commitment, or in any other recommendation that people like myself might make, with doing anything which it is within our power to do, and pursuing every conceivable line suggested by other Republican Senators or by the majority leader to try to bring this matter to a satisfactory conclusion.

I repeat, when the President succeeds in foreign policy the country succeeds, and we must all be glad and all do our utmost to promote that happy eventuality, and to help him succeed; and that means, among other things, by the thrust of everything we say.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MANSFIELD. Mr. President, the Senator from New York has made a most interesting speech. I am sorry that I missed the last part of it, because I think he made some remarks which are not contained in the printed text. Had the Senator not finished?

Mr. JAVITS. Mr. President, may I say to the majority leader, as to the last part of it, that I just, without in any way associating him with criticism of the administration, which I would never do, said that I thoroughly agreed with the majority leader's initiative, and had a deep feeling for support for it, in respect to trying to bring the United Nations

into the situation. I stated that I saw nothing inconsistent between that and anything that I urged.

Mr. MANSFIELD. Mr. President, I was just trying to follow the Senator's printed remarks, and I thought he had concluded. I was mistaken.

Mr. JAVITS. I thank the Senator.

Accordingly, the policy of the United States in Vietnam—and, in my judgment, this is the essence of the colloquy I had with the Senator from Arkansas [Mr. FULBRIGHT]—must be conditional upon the performance of the Government and people of South Vietnam acting on their own behalf—within a reasonable timetable. And this policy must, in my judgment, be supported by a new resolution of the Congress to supersede the now obsolete Gulf of Tonkin resolution, which is no longer germane to the situation we face today. I would not undo it. I think that would be a grave disservice to the country. It would seriously compromise the President. But I do hope we can adopt another one to supersede it. I reiterate that the real question is: Can the elected Government of South Vietnam and its people be roused effectively to help themselves—and when?

Mr. FULBRIGHT. Mr. President, would the Senator from New York mind yielding, before he passes on to his next point?

I was interested in his remark about a new resolution.

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I should like the Senator to develop just briefly the nature of what he has in mind, and how he would proceed. I have heard this suggestion before, and have had difficulty clarifying in my own mind what form, for example, such resolution would take. It would be a new statement of our policy, incorporating some ideas the Senator has stated; is that correct?

Mr. JAVITS. That is exactly correct.

In the first place, I would renew the President's mandate, so that he would be acting with authority. Although many of us believe the Tonkin Gulf resolution is out of date, it is still in effect. If you are going to do anything, you have to have power and authority; and frankly, I think it is much more dignified and appropriate to our Nation if that authority be current and up to date, rather than out of date, with no relation to the present situation.

Mr. FULBRIGHT. I agree with the Senator.

Mr. JAVITS. I assume that the grant of authority would not be quite as broad and unlimited as that which we gave in 1964, but would, nonetheless, be adequate to maintain operations. I think we owe this to the President.

But my second point would be to relate our continued maintenance of operations and our continued presence to performance on the part of the South Vietnamese Government, and self-help on the part of the South Vietnamese people. Somehow or other, that represents, to me—the essential basis for this whole operation.

Why did the free world get such joy and such elation out of what Israel did in the Middle East, that little power in

a sea of Arab States? While I know that the Senator from Arkansas may have views somewhat different from mine on that subject, I believe it gave the free world a lift, because when people help themselves, there is no limit to what others will do to help them.

But I believe that principle can operate negatively as well as affirmatively. If they do not help themselves, there must be some way in which we can cease to be the underwriter for people who simply do not want to be free.

The PRESIDING OFFICER. The Senator's half hour has expired.

Mr. JAVITS. I ask unanimous consent that I may have 15 more minutes.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have 45 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. I thank the majority leader. That, I believe, is the essence of what I would like to see. Other Senators, of course, would have different ideas. We would have a whole gamut of them.

But I think the superseding proposition, the modernization proposition, is much more valid and more compatible with the dignity of the Nation than the idea that we should simply undo the Gulf of Tonkin resolution. I must say, without any disrespect for the President, that I was rather sorry that he did what he did, as if to say in effect, "If they do not like it, they know what they can do." To me, that is unthinkable. But I would rather agonize about it, and do whatever it takes, than undo entirely the basis on which the President of the United States has been proceeding.

Mr. FULBRIGHT. Mr. President, I think there is much in what the Senator says. At the very least, such a proposal would certainly precipitate a careful examination of what our policy should be.

Mr. JAVITS. Exactly.

Mr. FULBRIGHT. It would be a vehicle for discussion, and I think would make a very great contribution.

Mr. JAVITS. If I may make one other suggestion to the Senator, as chairman of the Committee on Foreign Relations, one thing the Gulf of Tonkin resolution left out—and it was not needed at the time, because the immediate situation it sought to meet was a very limited, tactical thing—was the objective: Why are we there? What do we hope to accomplish?

A definitive resolution of this character, delimiting policy, would be extremely important to the whole world, to define our objective for the world, in answer to the question: Why are we there?

Mr. FULBRIGHT. That is exactly correct. That is the great question, still, in the minds of the people. If the Senator's suggested new resolution did nothing else than clarify that particular point, it would be most helpful.

Mr. JAVITS. I say to the Senator publicly, as I have informed him privately heretofore, I am now working on something tangible on that score. Per-

haps other Senators will do the same, Mr. President, and perhaps we can give to the Committee on Foreign Relations a sufficient body of suggestions to warrant its early and considered attention.

Mr. FULBRIGHT. I can assure the Senator that the committee is very much interested in anything he or any other Senator has to propose in this connection. I think it is high time we think about it.

Mr. JAVITS. I now pass, Mr. President, to the question of the bombing of North Vietnam, and the consideration of the evidence which was given on that subject by the Secretary of Defense, Mr. McNamara—which, Mr. President, in summary, asserts that our bombing program cannot stop the amount of infiltration of men and materials into South Vietnam which the Communists need to sustain their current level of military activity. In specifically, he said:

The capacity of the lines of communication and of the outside sources of supply so far exceed the minimal flow necessary to support the present level of North Vietnamese military efforts in South Vietnam that the enemy operations cannot... be stopped by air bombardment—short, that is, of the virtual annihilation of North Vietnam and its people.

The President has, on a number of occasions, explicitly ruled out the virtual annihilation of North Vietnam as a course of action which the United States would ever undertake. So it seems to me, therefore, that the bombing question in respect to North Vietnam introduces a note of unreality into the whole situation, if it is said that that is the sole obstacle, or the principal obstacle, to peace in Vietnam. There may be grounds for believing that an unconditional cessation of bombing would be reciprocated by willingness on Hanoi's part to open negotiations.

But in much of the public discussion of Vietnam there appears to be an implicit equation of "negotiations" with "peace." Hanoi's own statements on this subject, as well as the experience of Korea, strongly indicate the contrary. It will be remembered that the negotiations at Panmunjom took 24 months, that fighting went on and our casualties were even greater during the negotiations. Nevertheless, Panmunjom did mark a beginning of the end—a beginning we have not yet attained in Vietnam.

I do not think the bombing of North Vietnam is central—either way—to the problem of achieving a satisfactory end to the struggle in South Vietnam by military means. That is why I favored an unconditional cessation of the bombing last February 1967 when there was a worldwide framework in which peace negotiations looked like a probable result, and I would do so again in a similar framework. Accordingly, in my judgment, we should continue for the present those aspects of the bombing program which are clearly contributory to the safety and success of our combat forces in South Vietnam—which means the access routes into South Vietnam. To give a specific instance, I would cite the successful use of bombers in the DMZ to break the siege of Conthien.

On the other hand, it seems to me that there is a dangerously high element of distorted reasoning in the arguments of the military proponents of an accelerated bombing program. The only valid criteria for bombing North Vietnam is the contribution it makes to war in the south, and Secretary McNamara has now made it clear that there is little more that can be done which is relevant to the criteria.

Nonetheless leading generals and admirals are agitating for such extreme measures as the aerial mining of Haiphong and the destruction of all lines of communication along North Vietnam's border with Communist China—notwithstanding the danger of widening the war by having a flood of Chinese volunteers come into North Vietnam as they did in the case of North Korea.

They speak urgently of stemming the flow of war material into Hanoi's arsenal. The image invoked by the generals is in stark contrast to Secretary McNamara's estimate that the level of supplies infiltrated into the south is "significantly under 100 tons per day."

How do we account for this discrepancy? I think the answer is quite revealing. The military people have come to view the bombing program as an end in itself. We must not discount the enthusiasm of the fliers for the "air solution," a theory of dashing air attack doing all with relatively light manpower losses, but, a theory invalidated by all modern military experience. Indispensable as is the air arm, it is not decisive standing alone as it does in North Vietnam.

Yet, the air war now has a life of its own. According to Admiral Sharp:

We must continue these operations in the North. They are the offensive element in our strategy. No war has ever been brought to a successful conclusion by defensive action alone.

He adds:

It is important, in my mind, to have our presence felt over the cities of Hanoi and Haiphong.

I question whether it is really germane to the guerrilla war in the south that our planes be able to roam at will and bomb with impunity over the length and breadth of North Vietnam. Does the cratering of dirt roads and the destruction of primitive bridges in North Vietnam lessen the grip of the Vietcong over the isolated villages of the Mekong Delta? This is where most of the South Vietnamese people live.

I understand that according to the Pentagon's own calculations it costs the United States \$10 to inflict \$1 worth of damage on North Vietnam by bombing. Do the results justify the expense involved? When we add the loss of American lives, the risks of confrontation with the Soviets or with Communist Chinese "volunteers" and the international opprobrium connected with the bombing program, it would seem that we have passed the point of diminishing returns as regards the number of the missions our fliers are required to undertake.

I say that only in substantiation of the fact that we have not even tried all of the means by which peace negotiations may be brought about in respect of the

United Nations, as the distinguished majority leader has said.

In the final analysis, and this is the main thrust of my speech today, there are two ways in which a settlement can be brought about in Vietnam. At the present time, neither of these ways looks very hopeful.

First, the way is to demonstrate to the Communists on the ground in South Vietnam that the tide of the struggle has shifted decisively against them. This requires demonstrable progress in the political, economic, and social, as well as in the military field. We have been trying to do just this since 1954. However, despite the expenditure of billions of dollars and the deployment of 500,000 U.S. troops, we have not succeeded in putting together a demonstrably "winning" effort.

By all indications, Hanoi and the Vietcong remain convinced that they will win the struggle in Vietnam—and win on their own terms. Until the enemy is shaken from this conviction—and we have Secretary McNamara's word that it cannot be done alone by bombing the north—it is wishful thinking to expect that the Communists will agree to a settlement which meets our minimum objectives.

As I have stated many times, in my judgment the Achilles heel of our effort in Vietnam is the continuing inability of the South Vietnamese to galvanize themselves as a society and produce leadership which can achieve basic reforms and meet standards of performance—social, economic, and military—which will attract the positive allegiance of the population of South Vietnam.

Despite our military achievements of the past 18 months, informed observers agree that the Vietcong remains way ahead of the Saigon government in terms of effective political organization in the countryside.

The Vietcong is clearly a minority in South Vietnam and I share the administration's conviction that a majority of the South Vietnamese do not want Communist rule imposed on them by force. That is proved by the extent of participation in the elections. However, to speak of an anti-Communist majority is misleading. South Vietnam is a country of fragmented minorities and among the competing minorities, the Vietcong is clearly the best organized, the most resourceful, and the most determined.

The literate and intellectual anti-Communists in South Vietnam are like the anti-Fascists in France in the 1930's. They are more intent on checkmating one another than on saving their country from conquest. The Saigon government shows more zest in suppressing the Buddhists radicals led by Tri Quang than it does in routing out Vietcong strongholds in the delta. The students and the intellectuals prefer demonstrating and intriguing against the Government to contesting the political dominance of the National Liberation Front in the war zones outside of the big cities.

So long as these instinctive patterns of choice prevail among the non-Communists, the United States is doing little more than building sand castles in Vietnam.

That is the first way to demonstrate to the Communists on the ground that the tide of the struggle has shifted decisively against them.

Second, the way in which a settlement might be attained is by international diplomatic action. In my judgment, a realistic appraisal of the dynamics required for achieving a settlement by these means gives no cause for optimism at this time.

Despite extensive international concern over the potential dangers to world peace inherent in the Vietnam conflict, diplomacy thus far has not been able to get negotiations started, nor to suggest the outlines of a compromise settlement upon which the two sides might agree. The United States is willing to negotiate. We have even made some adjustments in our position to accommodate international concerns.

But Hanoi remains adamantly opposed to negotiations on any basis other than what would be an implicit prior acceptance of Hanoi's terms for a settlement—U.S. withdrawal and South Vietnamese capitulation.

In these circumstances, the operative question is whether the Soviet Union can and will effectively press Hanoi to negotiate a compromise settlement. The evidence regarding Soviet willingness to press Hanoi to negotiate is ambiguous at best. Even assuming Soviet willingness, the actual ability of the Soviets to press Hanoi to a settlement is very dubious so long as Communist China is determined to keep the war going.

The reaction of the hawks to these circumstances seems to be an inclination to provoke a confrontation with the Communist Chinese and the Soviets. Presumably they have an implicit faith that going to the brink of world war will induce the Communist Chinese and the Soviets to abandon Hanoi and thus force a settlement. They may be right. But, in my judgment, the risks far outweigh the issues we have at stake.

The reaction of the doves is to offer many ideas—all of which depend on someone else's action—like the U.N.—which cannot or may not wish to do so. For the rest, the implication is disengagement and withdrawal which we cannot and should not contemplate now. Indeed, the terms "hawks" and "doves" are rapidly becoming irrelevant to the situation, and there seems to be broad agreement on the fact that you cannot pull out unless there is a way, and that is what we are talking about.

In thus reexamining the situation, we inevitably come back to the question of the ability of the South Vietnamese to put their own house in order. A people who do not work and fight to save themselves cannot, in the final analysis, be saved by others. The evidence continues to mount that the more we do for the South Vietnamese the less they do for themselves. The United States ought not continue indefinitely in a situation where we are more worried about saving the South Vietnamese than they are about saving themselves. I have stressed this point many times before and I repeat it again.

Our further participation in war should be made conditional upon stand-

ards of performance and effective self-help achievements by the newly elected Vietnamese Government based on a timetable which may be secret, but should be real.

There is nothing which guarantees that we have to win in Vietnam just because we are the United States. There is nothing that guarantees that the people we are helping are the "good guys"—like every other people, they have to make it good by deeds. So long as our national thinking is clouded by folk myths, so long as we insist on maintaining that Vietnam is a simple case of external aggression against a freedom loving ally, so long as the Secretary of State really feels that the only question is whether the Communists "will leave their neighbors alone," so long as the President implies there is no alternative to the present policy—the United States will have to reconcile itself to a protracted war of attrition of uncertain outcome.

I do not believe that is our only course, and that is why I am seeking to chart a new one.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. At the conclusion of his speech, I wish to congratulate the Senator. I believe it is an excellent statement, and he has posed the central questions of the situation.

The question about the South Vietnamese doing for themselves what we cannot do for them is eminently true. One of the most distressing aspects of the recent development is that there is no sign that the South Vietnamese—the Army in particular—are doing as much as they did 2 years or 3 years ago. My distinct impression is that before we put in 500,000 men, the South Vietnamese Army was bearing the major part of the fight and was doing a reasonably good job, except that they were losing. That is why we went in, of course.

I believe that indicates a certain relationship between the South Vietnamese Government and the people. I cannot help believing that they do not have the all-out support of the people. South Vietnam is approximately the same size as North Vietnam. There may be a difference of 1 or 2 million people. The south is richer agriculturally. So why is it that this spirit does not exist among the South Vietnamese? Could it not be that the government does not have any allegiance of the people, the real support of the people, in South Vietnam? This is what disturbs me.

Mr. JAVITS. May I say to the Senator that no one more devoutly wished for free elections than I, and credit must be given to our administration for some success in bringing it about. I believe it had much to do with bringing about the elections. It was not satisfactory in many ways, but still it was done. I hope the South Vietnamese will now build on it.

I agree thoroughly with the Senator that these serious questions are in the minds of all of us. Messrs. Thieu and Ky can say to us, "Look, fellows, we just became legitimate. You've got to give us a chance."

That is why I said what I did—that there should be some concept of time lim-

itation as well as commitment limitation in terms of aggregate resources. Otherwise, we are fighting the war in a way that no general will ever do. No general will ever go in unless he sees a way out. If he does otherwise, he should be cashiered. Yet, that is the situation we are told we are in.

Whether it is my idea, the idea of the Senator from Arkansas, any other Senator's idea, or the idea of any other person in this country, we must find a way to restore to ourselves the option which no general and no country could do without—a way to get out. Yet, that is the situation we are in in South Vietnam.

Mr. FULBRIGHT. I believe the Senator is correct.

I would like to ask the Senator's views about the role of the United Nations. I agree with the Senator that in the past we have made some efforts at bringing about negotiations. There were always unfortunate coincidences of escalated bombing, often said to have been unpremeditated. It happened that way—that has been one of the explanations. For one reason or another, the other side has not responded. I believe they have been wrong. It would have been in the national interest of both North Vietnam and South Vietnam if they had accepted. I regret that they have been so stubborn. I do not excuse them at all. I do not wish to say that we have always been wrong.

However, we are dealing with a very serious situation, and we are paying the greatest price—except for the people of Vietnam, who are being slaughtered and are caught in this war. But no other countries, including China, Russia, or any others who are interested, are bearing the burden we are. They are not draining their resources, and so on. We are in a difficult situation.

I believe that the United Nations was created for the purpose of being an organization to which this type of controversy could be brought—it could support some kind of conference, whether in the U.N. or not. The distinguished majority leader has made several statements, with which I am in complete accord, in connection with this matter.

Mr. JAVITS. So am I.

Mr. FULBRIGHT. I believe an all-out effort should be made to bring the Security Council into the picture and then, I would hope, the Geneva Conference could be reconvened. I say the Geneva Conference because of the background of the situation in which the Secretary of State and others say we have done our best but have been rejected. It is a stalemate; it will not work, apparently.

I can think of nothing to suggest that we do which would induce them, under these circumstances, after this long history, to now negotiate with us, except the type of surrender of which neither the Senator from New York nor I approve.

I come back to the U.N., and I cannot help believe that if this country used its efforts and its influence, it could not get nine votes out of the 15 on the Security Council to put this matter on the agenda for discussion. That action would play the same part, it seems to me, in the forum of the U.N. that we are trying to play in the forum of the Senate—that is,

a discussion and clarification of what the issue is, what our purpose is.

Since all parties in this conflict have at one time or another said the principles of the Geneva accords are a proper basis for settlement, I believe this procedure could be followed.

Mr. JAVITS. I thoroughly agree with the Senator. I agree with what Senator MANSFIELD has said in his letter—a wonderful, feelingful letter—to which I referred. He does not say it in these words—he is the majority leader—I say it for myself. I do not wish to put words in his mouth. There seems to be a lack of aggressiveness on our part in respect of getting this matter on the agenda in the U.N.

Mr. FULBRIGHT. Exactly.

Mr. JAVITS. I agree with the Senator that it is inconceivable that we cannot muster nine votes or raise hob about it in the U.N. constantly. Our representatives should become indignant about it. How is it that the U.N. would not deal with an open and flaring war because in the backroom they will not give us assurance that if we bring it up, we will not be successful?

I agree with the Senator—although he does not use such strong words—that we should be aggressive and do something about it and keep eternally at it, because that is a good place to fight it.

Mr. FULBRIGHT. At the moment, in view of the background of this matter, the only thing I can think of—of course, I do not know what went on in the back corridors in the private discussions—but I see no reason why that procedure should not go on in public, so that we would all know about the effort and the discussion, and let the members of the Security Council take a position in public as to whether they want to have any part at all in the liquidation of this war. They all say—many of them do, at least—that they disapprove of the war. I believe more than 30 members of the U.N. have already publicly stated criticisms of the war and stressed the need for seeking some kind of solution. They did not specifically mention the solution we are suggesting.

However, it is my judgment, based on press accounts, that there is a great sentiment among the members of the U.N. to bring this war to a close. They recognize that it is dangerous, that there is a danger of escalation. I believe that is where the great pressure should be put at the moment.

Mr. JAVITS. If I may recapitulate for the Senator, with his permission, could we say that certainly three things have emerged from this discussion; and it is not just our discussion but it concerns all of us.

Let us assume that a bid through unconditional cessation of bombing is desirable, but the President is not going to do it and so unhappily we have to lay that aside. What is left? The United Nations is left. The distinguished majority leader [Mr. MANSFIELD] is right about that, in stating that we have to be more aggressive about it. Second is the clear calculation of what we must do in the Senate in terms of this resolution, in terms of its objectives and some new mandate to supersede the outmoded

mandate. Third, that will lead to some consideration of the scale and time limit of our commitment—conditioned on self-help—in Vietnam.

If we did that, that represents a policy that would rally a great many of the people in this country who are falling away in droves every day because they have lost confidence in what the administration is doing about the war, that it does not have the ability to grip the problem and do something about it.

Mr. FULBRIGHT. I think the Senator has put his finger on an important part of it. It would do a great deal to the sentiment and feeling of this country if the people felt that an all-out effort had been made to use the United Nations. It would help take away this feeling of frustration and, what I detect as bitterness by some in the administration, toward all of us who wish to discuss the question.

Mr. JAVITS. That aspect is most unfortunate.

Mr. FULBRIGHT. I think it would contribute to all Senators as well as to the country.

Mr. JAVITS. I thank the Senator.

Mr. FULBRIGHT. I thank the Senator for his contribution.

Mr. JAVITS. I thank the majority leader.

Mr. MANSFIELD. Mr. President, I want to say again, as I did when I unintentionally interrupted the distinguished Senator's speech, that I found what he had to say most interesting, and if my memory serves me correctly, he is emphasizing once again, in a somewhat different form what he has said previously on a number of occasions.

I note during the course of his speech, in referring to several of his colleagues, he states that his colleagues have "focused attention on the failures of the administration to pursue all opportunities to initiate negotiations and its incapacity to bring the struggle to a satisfactory conclusion."

I think it is only fair to say that, while we may disagree with the how of the negotiating process, there has been no bona fide opening available which the administration in its own way did not seek to unravel to see if there was a possibility of carrying on negotiations with Hanoi or, through some other power, with North Vietnam.

It is true that up to the present time the struggle to achieve negotiations has been unsuccessful and that at the present time there seems to be no prospect at all that negotiations will become possible shortly.

As far as the second of the two basic conclusions raised by the distinguished Senator is concerned, he said:

Second, the way in which a settlement might be attained is by international diplomatic action.

He stated also, and again I quote:

In my judgment, a realistic appraisal of the dynamics required for achieving a settlement by these means gives no cause for optimism at this time.

This is a true statement, I believe. I know of no other way by means of which this struggle can be brought to an end except through negotiations, be-

cause while a military victory may be achievable the cost in men and resources is inconceivable, as far as this country is concerned.

That brings me to the distinguished Senator's support of action through the United Nations, for which the distinguished chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] has worked for a long time. In turn, that brings me to a statement which I think should be made, which is this.

If there is any credit to be given for trying to open negotiations through the Security Council of the United Nations, I think it should be given to the President of the United States, who, on more than one occasion has taken the initiative and urged some of us to do our utmost to be of assistance. I recall, for example, on November 11, 1966, after giving a speech at Johns Hopkins, he called me on the telephone. He said he was most interested and approved of the suggestion I had made, although it was not original with me, and he asked me to meet with Ambassador Goldberg and to go with him to see U Thant. A week later I did go to the United Nations, and with Ambassador Goldberg did visit with U Thant.

At that time the Secretary General said he felt the Security Council was not the place in which to bring up the Vietnam question but that he thought he personally, because of the contacts he had and the leads he was quietly pursuing, might be able to do a little more. We did not push the proposal, therefore, at that time.

U Thant did visit Asia. He met with his contacts, and he came back and reported that his mission had not fared very well. Since that time he has endeavored on several occasions once again to seek contact or otherwise open negotiations but he has not been successful.

Now we are in the third or fourth week of the annual meeting of the General Assembly of the United Nations. Up to this time, 25 nations have arisen, either in the persons of their chiefs of state or their foreign ministers, to call for a halt to the bombing. In the middle of last week the number was 20 and as of now it is 25.

Mr. President, 25 countries have called on the United States to halt bombings. The list of those urging a bombing halt includes eight Communist countries, seven countries in Africa and Asia, three in Latin America, neutral Sweden and Finland, and five NATO allies, Belgium, Canada, France, Denmark, and Norway.

Well, if these nations can stand in the rostrum of the United Nations and say openly what they think we should do to bring an end to hostilities in Vietnam, I see no reason, and I am sure no Senator does either, why they should not urge the Security Council to take up the U.S. resolution which has been lying there since January 30, 1966, or why they do not introduce a resolution of their own. A resolution of this kind can be taken up; it is not subject to veto. It can be discussed; it is not subject to veto. If recommendations are made and it gets to that third stage, then a resolution would be subject to veto by any one of the permanent members. What have we got to lose in

taking this matter of Vietnam, which seems to have no ending, to the United Nations?

What is the United Nations for except to try to keep, to maintain, to preserve the peace? Why is the United Nations dodging its responsibility in this matter which could go and does go far beyond Vietnam and Southeast Asia. I think it is about time that the organization, which has now reached maturity—it is 22 years old—faced up to the responsibility which it carries in the most powerful unit within the United Nations, and that is the Security Council.

I would call up this resolution on Vietnam if I had my way, if my own country alone would vote to do it, because it is not a matter of who is in a majority or in a minority. It is a matter of laying the most serious question in the world today before the world, before that body which is representative of every continent, both hemispheres, and most of the countries on the face of the globe.

I get a little tired, Mr. President, of the words "hawks" and "doves." I am glad that the Senator from New York made his feelings clear on that matter.

To me, a hawk is one who wants to go all the way, not just to the Chinese border, but beyond. I do not know of any Member of this body who could be classified as a hawk.

To me, a dove is one who wants to go in the opposite direction, drop everything and get out all the way. Again, I do not know of any Member of this body who could be classified on that basis.

Therefore, I would hope that we would get away from those words which take on an unclear meaning and which, in too many instances, carry a very unfair connotation.

Facts are what count. Possibilities are what is important.

So far as this country is concerned, our alternatives and our options are becoming fewer. The only place I can think of—although I would not exclude others, the Geneva Conference, the barrier below the DMZ, the Cooper proposal, neutralization of all of Southeast Asia—the only place I can think of at the present time to move is in the United Nations, where General Assembly has been in operation this year for 3 or 4 weeks and which has drawn to New York the chiefs of state, or at least the foreign ministers. Many of them have expressed opinions on Vietnam, all of whom except the Italian spokesman, to the best of my knowledge, have not advocated what should be done in the organization known as the United Nations.

The Italian at least had the courage to say to the General Assembly that the question of Vietnam should be brought before the Security Council. But, of all the 25 or 30 who spoke on Vietnam, Italy was the only country represented which came up with a suggestion which might have placed some responsibility on the United Nations and might—which possibly might—have come up with recommendations which would bring this disastrous, this brutal and dirty war to an honorable conclusion.

Mr. President, I must express my regrets to the Senator from New York. I have said too much, but so long as the

information has become public, I ask unanimous consent that the letter which I wrote to all Senators early this week covering procedures in the United Nations in relation to the Security Council, and also a statement which I issued last Saturday be printed in the RECORD.

Mr. JAVITS. Would the Senator from Montana allow me the privilege of inserting that letter and statement in the RECORD?

Mr. MANSFIELD. Certainly.

Mr. JAVITS. Mr. President, I ask that the Senator's unanimous-consent request be withdrawn and that I have the privilege of asking unanimous consent to have that letter and statement printed in the RECORD under a separate heading from my speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. Mr. President, may I conclude by saying to the majority leader that I would not dream, in any way, of lessening his eloquence on this subject by engaging in debate with him as to other matters concerning the administration. I want his remarks to stand just as they are.

Mr. President, the Senator's statement is completely consistent with my thesis. We should do what he says. We should do what I suggest. We should do what the Senator from Kentucky [Mr. COOPER] says. That is what the country must do.

I only hope that our ears have not become so deaf to the situation that our words will not be heard here.

Let me say to the Senator from Montana that he could not have spoken of the Italian delegate on a better day.

Today is Columbus Day.

I should be attending a parade in New York City celebrating the occasion.

I think it is very interesting and most fitting that the Senator should have made that reference to him today.

Mr. HART. Mr. President, I got here in time to hear the Senator from Montana [Mr. MANSFIELD] conclude his remarks. I have read the letter to which he referred. He voices the hopes which I have entertained for some months now, but he does it in eloquent yet restrained fashion.

I hope very much that from now on we will put the heat on to insure that this one instrument at hand; namely, the United Nations, limited though it is, fragile though it has proved to be on occasions, will be used and that we will demand that it be used.

The United Nations is the one great forum which the peoples of the earth have created and is now available. As I see it, it is our only recourse. It is our responsibility as a people and a government that we seek to use it.

Thus, let us—if you will—call the roll and find out who does not want to use it.

I think we are under heavy obligation to our consciences to insure that what the Senator from Montana has just told us is pursued, insisted upon, and is voiced over and over again.

I am grateful that I came into the Chamber, even at the close of debate on this subject.

I hope, when I read the RECORD tomorrow,

that I am in agreement with what was said on the floor.

Mr. JAVITS. The Senator is perfectly safe.

Mr. HART. I thank the Senator.

Mr. TYDINGS. Mr. President, I should like to associate myself with the remarks of the distinguished Senator from Michigan [Mr. HART] in approbation of the speech and the efforts made by our very fine and revered majority leader, the Senator from Montana [Mr. MANSFIELD].

I might say that I think the whole country stands a little bit sounder on its foundations because we have a voice of moderation, a voice of reason, from the State of Montana in the person of our distinguished majority leader. My only regret is that, it seems to me, sometimes his voice is not heeded in those quarters where it ought to be.

Mr. JAVITS. Mr. President, I thank my colleagues for their most helpful and cooperative intercessions.

I thank the majority leader for his indulgence as to time.

I yield the floor.

EXHIBIT 1

MAJORITY LEADER'S LETTER TO ALL MEMBERS OF THE SENATE ON UNITED NATIONS AND VIETNAM

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., October 9, 1967.

HON. JACOB JAVITS,
U.S. Senate,
Washington, D.C.

DEAR JACK: In the past few months, some thirty Senators have expressed the view that the United Nations might play some role in finding peace in Viet Nam. I have been among the thirty. It has been and still is my hope that the Security Council might serve to spur negotiations (whether under its own aegis or in a reconvened Geneva Conference or some other appropriate forum) which might lead to an honorable settlement.

In my judgment, much might be gained and nothing is to be lost in a sustained attempt to get the U.N. Security Council to consider Viet Nam. At worst, an open defeat of specific moves in this direction can hardly be more opprobrious than rumors and allegations that the United States is preventing negotiations. Even if we cannot muster the votes or are stopped by a permanent member's veto, I believe we have a responsibility to pursue whatever means may be proper and open to us in the Security Council, if for no other reason than to make clear our willingness to lay our position on Viet Nam formally on the line.

The appropriateness of a U.S. initiative in the United Nations in connection with Viet Nam is underscored by Article I of the Charter. The fact is that U.N. members have bound themselves by Treaty commitment: "... To take effective measures for the prevention and removal of threats to the peace ... and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes. ..."

Obviously, this responsibility falls with particular weight upon the Permanent Members, including the United States.

At one time, this nation did make a start towards raising the Vietnamese question in the Security Council. In a letter to the President of that body on January 31, 1966, on instructions from the President, Ambassador Goldberg requested the calling of an urgent meeting of the Council to consider the situation in Viet Nam. In a supplementary letter, he submitted a draft resolution on Viet Nam.

A meeting of the Security Council was called for the next day, and two items were listed on the Provisional Agenda for the meeting. The first was the adoption of the provisional agenda (which is invariably the first item to be considered at a Council meeting). The second was the letter from the United States representative.

The vote on the adoption of the provisional agenda was taken on February 2, 1966. The results were 9 in favor, 2 opposed, and 4 abstentions. Although one of the negative votes was that of the Soviet Union, the agenda, nevertheless, was formally adopted. That is because the adoption of the agenda is a procedural question on which decisions in the Council are made by a vote of any nine of the fifteen members. The Soviet negative vote, therefore, did not act as a veto.

However, instead of next calling up the draft resolution of the United States (that is, the second item of the agenda or the U.S. letter on the question of Viet Nam) the Council adjourned indefinitely for informal consultations. These consultations proved ineffective; some of the Council members even refused to participate in them. Since that time, the Security Council has not explored, in formal debate and under public scrutiny, the issues of Viet Nam.

Insofar as the Council is concerned, then, the status of the Vietnamese problem has long been that of one item in an extensive list of "Matters of which the Security Council is Seized" under the title, "Letter dated 31 January 1966 from the Permanent Representative of the United States of America addressed to the President of the Security Council." In analogy with Senate procedure, the item is on the Calendar, waiting to be called up.

The text of the proposed U.S. resolution which lies in this situation is as follows:

"The Security Council,
"Deeply concerned at the continuation of hostilities in Viet-Nam,

"Mindful of its responsibilities for the maintenance of international peace and security,

"Noting that the provisions of the Geneva Accords of 1954 and 1962 have not been implemented,

"Desirous of contributing to a peaceful and honourable settlement of the Conflict in Viet-Nam,

"Recognizing the right of all peoples, including those in Viet-Nam to self-determination,

"1. Calls for immediate discussions without pre-conditions at _____ on _____ date, among the appropriate Interested Governments to arrange a conference looking towards the application of the Geneva Accords of 1954 and 1962 and the establishment of a durable peace in South-East Asia;

"2. Recommends that the first order of business of such a conference be arrangements for a cessation of hostilities under effective supervision;

"3. Offers to assist in achieving the purposes of this resolution by all appropriate means, including the provision of arbitrators or mediators;

"4. Calls on all concerned to co-operate fully in the implementation of this resolution;

"5. Requests the Secretary-General to assist as appropriate in the implementation of this resolution."

It is this U.S. introduced resolution which was permitted to go dormant after having been motioned up almost two years ago and which we have since made no formal effort to revive. Initially, the principal reason for leaving it in limbo, as I understand it, was to avoid jeopardizing the efforts of the Secretary-General who, in his diplomatic capacity, was quietly trying to bring about negotiations through other channels. This effort and other secret approaches at the time were believed to hold more promise for peaceful

settlement than formal consideration of the problem by the Council.

However, it is now almost two years later. In the interim, a range of alternative approaches to peaceful settlement has been pursued with great vigor but with singular lack of results. All the while the war in Viet Nam has intensified and the options for opening negotiations for peaceful settlement have grown fewer. In these circumstances, it seems to me that the United States has an obligation to itself and, under the Charter—commitments to the people of the world, to resume the formal effort (which we began almost two years ago and then dropped almost as soon as we began) to get the question of Viet Nam before the U.N. Security Council.

In my judgment, the United States resolution which was submitted in January 1966 is still valid as a vehicle for this purpose. However, an alternative draft resolution could be offered by the United States, or by another country, for the purpose of opening consideration of the problem of restoring peace in Viet Nam.

If we choose to resume the initiative, the United States representative has only to ask for a meeting on the resolution on Viet Nam of 1966 and the item would be taken from the list of matters of which the "Security Council is seized" and included on an appropriate provisional agenda. The question of the adoption of the provisional agenda would then arise at a meeting of the Security Council, and it would be determined without vote if no objection were raised. In the event of objection, adoption would require the vote of any nine members. In short, if there are any nine members of the Council willing to have the Security Council face up to Viet Nam, the Council can begin the attempt to open the door to peaceful solution.

Of late, there have been rumors and innuendoes to the effect that "we do not have the votes" and so, therefore, we have not moved on the matter. It seems to me, however, that if there are not nine members of the Council prepared, at this late date, to acknowledge in concert this most serious threat to the world's well-being, it is high time for this nation to clarify by a recorded vote—win or lose—who is willing and who is not willing to bring the U.N. into the effort to restore peace in Viet Nam.

If the Security Council elects to do so, moreover, it can invite parties to the Vietnamese conflict, even though they are not members of the United Nations, to participate in discussions of the question. Again, the precedents clearly indicate that an invitation of this kind involves a procedural decision and, hence, requires any nine votes for adoption. Indeed, there are several cases in which invitations to participate in Security Council proceedings have been extended to non-U.N. members notwithstanding a negative vote of a permanent member. The precedents include the extension of two invitations to Communist China in 1950 (one of which was opposed by both the United States and the Republic of China and the other by the Republic of China) during the Korean Conflict. Precedents include even an invitation to an individual to appear and to speak in the Security Council after his diplomatic credentials had been thrown into doubt. (Dr. Jan Papanek, the Permanent Representative of Czechoslovakia to the United Nations at the time of the coup was invited, despite the negative vote of the Soviet Union.)

In short, the Charter and procedural practices of the U.N. clearly make possible a formal initiative on Viet Nam in the Security Council. While there have been of late, apparently, corridor-explorations by the United States of the possibilities of resuming the approach of almost two years ago, as yet, no specific procedural steps have been taken.

Needless to say, an initiative along these

lines by the United States appears to me to be most desirable. May I say that I would not expect consideration of Viet Nam by the Security Council to be a substitute for direct negotiations by the parties involved or for the Geneva Conference or, for that matter, the personal diplomacy of the U.N. Secretary-General and other third parties. Nor am I sanguine in the expectation that this approach will necessarily be more fruitful than the others which have already been tried without avail. We cannot know what the results will be until the attempt is made. In my judgment, it would have been a worthwhile effort even if consideration by the Security Council served only to clarify the various positions of those directly and indirectly involved in this conflict by bringing them together in face-to-face and open discussions.

In closing, let me emphasize that I write to you not to seek an endorsement of any particular approach to the problem of Viet Nam. Each of us has his own views even as we share, I know, a deep concern and a deep desire for the prompt restoration of peace. I write you only to elaborate, as of possible interest, certain procedural and other ramifications which would be deeply involved in the event of a resumption of a U.S. initiative on Viet Nam in the Security Council.

With best personal wishes, I am

Sincerely yours,

MIKE MANSFIELD.

P.S.—I am sending along a copy of a statement made on Sunday which also bears upon the matter

Regards,

MM.

STATEMENT OF SENATOR MIKE MANSFIELD, DEMOCRAT OF MONTANA, OCTOBER 7, 1967

The current session of the General Assembly has brought an outpouring of foreign office statements which urge the United States to call a halt to the bombing of North Viet Nam. Led by the Soviet Union, twenty or more nations have publicly pressed this advice in recent weeks. There are probably additional nations which feel the same way even if they have not yet expressed themselves.

In my judgment, this nation should not make light of this international advice. In some cases, it comes from nations which we have had a long and intimate association and whose well-being is linked closely with our own. In any event, it is not necessarily either gratuitous or misdirected but arises, I am sure, from a deep and worldwide concern with the prolongation and expansion of the war in Viet Nam. This government has a responsibility, as do all governments, to pay a decent respect to the concerns as well as the opinions of other nations.

Well-intentioned or not, however, international advice is not likely to prove very helpful in this instance unless there is a willingness to couple it with a measure of international responsibility in seeking the termination of the Vietnamese conflict. That willingness, I regret to say, is still conspicuously lacking. A willingness to attempt a concrete contribution to a solution of the Vietnamese problem is not present among the Geneva Conference and it is not present in the Security Council.

The Soviet Union, which is a member of both, has been in the forefront of the nations which insist that a discontinuance of the bombing is an essential in the restoration of peace in Viet Nam. Indeed, we are advised—almost assured—that the cessation will lead to negotiations with North Viet Nam. If the Soviet Union is convinced that this is the course to peace, it would seem to me to be appropriate for that nation to put its conviction into a formal resolution and present it for consideration to the Security Council. Until that is done, eloquent pleas and statements calling for an end of the bombing, particularly as they come from

members of the Security Council can hardly be regarded a contribution to peace or even as a fulfillment of elementary responsibilities under the Charter.

I would hope, therefore, that the Soviet Union or any other member of the Security Council for that matter, which is persuaded that an end to the bombing is the way to peace, would frame its conviction as a draft resolution and present it to the Council. In that way, the regular procedures of the Charter will be engaged. In that way, perhaps a path to peace may yet be uncovered either inside the U.N. Security Council or through its initiatives, in some other forum.

NEW MILITARY EQUIPMENT IN NORTH VIETNAM

Mr. THURMOND. Mr. President, the October 9 issue of the *Spartanburg Herald*, of Spartanburg, S.C., contains an excellent article on the new military equipment found in North Vietnam. Principal among these new machines of war is the Soviet M-16 helicopter.

The M-16 is one of the world's largest operational helicopters which is capable of ferrying 120 troops or a load of large antiaircraft missiles at speeds of 155 miles per hour. It is 108 feet long and it has established a record for lifting 44,350 pounds to a height of more than a mile.

The U.S. Air Force reported the destruction of two of these helicopters along with four smaller M-14 Soviet helicopters during raids last Saturday on a target 30 miles west of Hanoi. The article speculates that the appearance of the M-16 helicopter in North Vietnam is required because U.S. bombing raids have made land routes so hazardous. These large helicopters are used for priority movement of military cargoes and will be of great importance to North Vietnamese military operations.

The logistic problems of shipping these helicopters are such that they have to be moved by sea transportation. Consequently, it is evident that the only means for introducing them to the Vietnam theater is through the North Vietnamese port of Haiphong. This appearance of a Soviet M-16 helicopter is further documentation that the port of Haiphong is essential to the supply of military equipment from the Soviet Union. It also serves as additional rationale for the closure of that port, which our leading military authorities have recommended time after time.

Mr. President, I ask unanimous consent that the article be printed in the *RECORD*.

There being no objection, the article was ordered to be printed in the *RECORD*, as follows.

SOVIET 'COPTERS SUPPLIED NORTH VIETS—FLAME-THROWERS ALSO FURNISHED

SAIGON.—The Soviet Union is supplying to North Vietnam the world's largest operational helicopters, capable of ferrying 120 troops or telephonepole size antiaircraft missiles at cruising speeds of 155 miles an hour, the U.S. Air Force reported Sunday.

It made the disclosure in giving an account of the destruction of two of them along with four other but smaller Soviet-built helicopters by U.S. fighter-bombers Saturday about 30 miles west of Hanoi, the North Vietnamese capital. The raids in the North's heartland cost the United States the loss of three planes. Four U.S. airmen are listed as missing.

At the same time, the U.S. Command said a new Soviet-made flame thrower had been found with the body of a dead North Vietnamese trooper after an action in the northern zone of South Vietnam in which 15 Communists were killed. The command said Laotian money found in the pockets of the dead soldiers indicated they had infiltrated recently into the south by way of the old Ho Chi Minh trail which goes around the western end of the demilitarized zone from North Vietnam and winds through a Communist-held section of eastern Laos and Cambodia. Weapons such as flame throwers are rarely found among the enemy dead.

The Soviet Union and North Vietnamese signed a new aid agreement recently in which Kremlin leaders agreed to supply Hanoi's military forces with modern offensive and defensive weapons.

Apparently the giant Soviet helicopters were newly introduced into the North Vietnamese ranks. The Air Force identified them as the M16 and M14 known by Western military forces respectively as the Hook and the Hound.

The M16 is the bigger of the two. It is 108 feet long. Aviation records show one Hook has lifted 44,350 pounds to a height of more than a mile. In the Soviet Union Hooks have been used to carry oil rigs to Siberia.

The Hooks are powered by twin-turbine engines which turn contrarotating rotors.

The M14 Hounds are much smaller and carry about 14 troops.

The two biggest U.S. helicopters used in South Vietnam are the Boeing-Vertol Ch47 Chinook and the Sikorsky Ch53.

The twin-engined Chinook, which has two three-blade rotors, has a maximum speed of about 178 miles per hour. It can carry up to 44 troops plus crew and a maximum payload of 20,830 pounds. The Chinook also has an external cargo boom of 16,000 pounds capacity. Its fuselage is 51 feet long.

The Ch53, also a twin-engined model but with only one main rotor, has a maximum speed level of 195 miles per hour. It can carry 38 combat-equipped troops plus its crew of three. The Ch53 has a normal payload of about 8,000 pounds. Its fuselage length is 67 feet.

U.S. Air Force officers declined to speculate on the appearance of the M16 Hooks in North Vietnam. But one possible explanation was that U.S. bombing raids have made the use of land routes so hazardous that the big choppers are needed for the priority movement of military cargoes such as the surface-to-air missiles (SAMs) that the Soviet Union has supplied the North Vietnamese. The Russians first announced the Hook in the fall of 1957. Since then it has produced more up-to-date versions. The M14 Hound is standard equipment in the Soviet armed forces as well as in its airline, Aeroflot. Production is said to have started in 1952.

With ground action generally light and scattered, despite some stiff isolated battles, the emphasis in the war remained in the North where 126 missions were flown as American pilots piled in strikes before the expected monsoon change in the weather later this month. The downing of three U.S. planes, plus two previously undisclosed losses, brought to 694 the number of American aircraft lost in combat over North Vietnam.

The destruction of six Soviet-built choppers—the first such claim in the war—occurred when Air Force Thunderchief pilots swept down on a camouflaged area previously spotted in aerial photos. Leading the flight was a former X15 test pilot, Col. Robert M. White, of Fairborn, Ohio.

The Thunderchiefs dived in on the target despite the harassment of two MIG17s. Pilots reported that six of the helicopters seemed to "collapse" and burn after strafing and bombing passes.

It was the first indication that the Soviet

Union was sending helicopters to assume a major role in North Vietnam. American pilots previously had spotted choppers—mainly on the off-limits Hanoi airfield at Gia Lam—but they were smaller craft evidently used for liaison purposes. Until Saturday none of the North Vietnamese choppers ever had been claimed as destroyed.

In addition to the brief brush with the MIGs during the raid on the helicopter park, other Air Force pilots in supersonic Phantom jets clashed with at least five MIGs above the airfield at Hoa Lac. While Thunderchief jets hit the airfield, the Phantoms and MIGs swerved in a dogfight during which at least one of the Soviet-built fighters was damaged by an air-to-air missile.

In generally clear weather, Air Force, Navy and Marine pilots raked supply targets up and down North Vietnam. The gradual intensification of the air campaign was indicated by the raid on the fuel dump at Cu Van, 43 miles above Hanoi and previously on the Pentagon's list of restricted targets. Cu Van is the latest of three such targets released within a week by the Pentagon, and it proved lucrative—a smoke column rose a mile into the air after the raid.

The planes lost during the day were an Air Force F105 Thunderchief, an Air Force F4 Phantom and a Navy A4 Skyhawk. The Hanoi government has claimed downing nine aircraft during Saturday's strikes.

Another major target was the much-battered northeast rail line which brings most land-borne supplies from Red China to Hanoi. There was no mention in American communiques, however, of strikes near Red China or in the immediate vicinity of Hanoi or its port of Haiphong.

Although ground action was generally light, there was evidence the Communists were intent on maintaining the ground pressure in the northernmost provinces which make up the 1st Corps sector adjoining the DMZ dividing Vietnam.

Reporting on a battle in this area Friday, a spokesman disclosed discovery of the new Soviet flame thrower and the Laotian currency.

Along the demilitarized zone, Red gunners maintained only harassing artillery fire. However, American Marine gunners plus tactical jets and high-altitude bombers continued to pour concentrated fire on suspected Red positions. The B52s hit three times in the area Sunday, unloading some 450,000 pounds of bombs.

North Vietnam claimed U.S. attacks against its territory will serve only to harden further Communist determination to defeat the United States.

AMERICAN LEGION RESOLUTION ON CUBA

Mr. THURMOND. Mr. President, for the past few days I have been calling the attention of the Senate to a few highlights of the resolutions passed by the American Legion's 49th Annual National Convention. The whole body of resolutions passed by the American Legion deserve study, because anyone who reads them can see that they were not drawn hastily nor without knowledge. However, I would like to point out to the Senate one more time one particular resolution, Resolution 526. This resolution concerns the sorry American performance with regard to Communist Cuba.

The American Legion resolution sets forth a detailed program which would have a significant impact upon that country if it were adopted as U.S. foreign policy. It is true that some of the ten points which are mentioned in the resolution are supposed to be official policy

now; but it is equally true that the policy has too often been a hollow shell without real substance.

Mr. President, I recommend this resolution to the attention of all my colleagues, particularly point No. 9, which is, and I quote:

Insist upon the removal from Cuba of all Russian troops and/or "technicians", as well as all offensive type weapons supplied by the Soviet Union or its satellites.

I ask unanimous consent that Resolution 526 be printed in the RECORD at the conclusion of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 526, 49TH ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION, BOSTON, MASS., AUGUST 29, 30, 31, 1967
Committee: Foreign Relations.
Subject: Cuba.

Whereas, The American Legion in its national conventions from 1960 through 1966 called upon the Government of the United States to face up to the threat which a communist government in Cuba represents to all free nations of the Western Hemisphere; and

Whereas, with assistance from both the Soviet Bloc and Red China, Castro's regime continues to provide a communist beachhead for the training and supplying of guerrillas to carry on campaigns of infiltration, terror and subversion throughout Latin America; and

Whereas, efforts taken thus far by the United States have failed—

- (a) to contain Castro's attempts to export his revolution,
- (b) to cause our Canadian and European friends to stop selling strategic materials to Cuba,
- (c) to unify the attitude and actions of all members of the OAS toward Cuba, and
- (d) to secure the release from Cuba of numerous U.S. nationals there who have been denied exit permits or reasonable means of travel; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Boston, Massachusetts, August 29, 30, 31, 1967, That The American Legion reaffirms its positions taken heretofore in regard to a communist government in Cuba; and be it

Further Resolved, That The American Legion calls upon the United States to dedicate itself to the elimination of the communist government of Cuba and to reinforce or initiate such policies as will tend to produce this result in the shortest possible time, to include the following:

- (1) Continue to withhold diplomatic relations and to prohibit trade between the U.S. and Cuba;
- (2) Deny use of all U.S. ports to any foreign flag ship trading with Cuba and to all the ships of any shipping line trading with Cuba;
- (3) Discontinue all U.S. aid programs to any country whose ships trade with Cuba;
- (4) Continue to seek total and active co-operation of all Latin-American countries in opposition to the continued existence of a communist-dominated government in Cuba;
- (5) Encourage the establishment of and grant recognition and support to a democratically-oriented Cuban government-in-exile;
- (6) Furnish arms and training to legitimately organized groups of freedom-loving Cuban exiles, both in this country and wherever possible, so that they will be ready and available—
- (a) to assist other Latin-American governments in repelling or destroying Castro-trained or inspired guerrillas, or
- (b) to take part in any possible future at-

tempt to overthrow Castro or his communist successors by armed invasion;

(7) Continue to insist upon fair compensation from Castro's government for all American property seized by it in Cuba, and attach and hold all Cuban assets which are or become available for this purpose;

(8) Continue to seek the release from Cuba of all American nationals and their families who wish to leave Cuba;

(9) Insist upon the removal from Cuba of all Russian troops and/or "technicians" as well as all offensive-type weapons supplied by the Soviet Union or its satellites; and

(10) Pursue a vigorous and increasingly stronger policy of economic and political boycott against Castro in order to weaken and wither both his hold over the people of Cuba and his image as leader of the Latin-American communist movement; and be it

Further Resolved, That should these policies and programs fail to bring down the Castro government within a reasonable time, The American Legion urges the Government of the United States, preferably in concert with all members of the OAS but alone if necessary, to undertake more direct action and to use as much power as is necessary, including armed force if need be, to free Cuba of a communist-dominated government, and to free this hemisphere of a foreign-implanted and foreign-sustaining malignancy.

SERIES OF ARTICLES ON "THE BLACK REVOLUTIONARIES"

Mr. BYRD of West Virginia. Mr. President, recently the Washington Post ran a most revealing series of articles on "The Black Revolutionaries."

This is a subject that deserves attention. That the American people may have the opportunity to see these articles in their entirety, I ask unanimous consent that the series be printed in the RECORD.

There being no objection, the series of seven articles on "The Black Revolutionaries" was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 24, 1967]

THE BLACK REVOLUTIONARIES—I: BLACK NATIONALISTS PREDICT RACE WAR

(NOTE.—The fires that ravaged America's ghettos this summer threw cruel light on a new breed of Negro leader—the black nationalist. What kind of men are these? How wide is their following? To what destination are they pointing the Negro? This is the first of seven articles on "The Black Revolutionaries.")

(By Robert C. Maynard)

An angry and violent mood is nearing the explosion point in the black communities of America's largest cities, with the rapidly growing black nationalist movement as a powerful catalyst.

This is the result of a strong conviction among Negroes that white Americans are bent on destroying black Americans. It could erupt into racial war, going beyond the recent summers of discontent.

Black nationalist spokesmen do not claim that they represent a majority of the Nation's 25 million black people. But they believe there is a widespread feeling among Negroes that the whites are moving ever more toward repression while black people move toward greater pride and group identity.

At some point in time, one black nationalist said, the repression and the pride will meet head-on. Then, he said, "either racism goes or America falls, destroys itself."

As for the actual numbers of revolutionary blacks, differentiated from less volatile black nationalists, one San Francisco revolutionary said: "Those who know don't say; those who say don't know."

The black nationalist message is clear in this statement by the Rev. Albert C. Cleage, Jr., preacher of a doctrine of a Black Christ from the pulpit of one of America's most militant churches, located on Detroit's West Side:

"The black people of America are in a life and death intelligence test with the white man. The question is: Will the white man transfer power or attempt Hitler's final solution? Any attempt to apply Hitler's solution will completely destroy America."

In Los Angeles, a black nationalist said he believed the United States was on the verge of a "racial war" that would divide and ultimately destroy the Nation as we now know it.

Such attitudes were not uncommon in black communities surveyed by The Washington Post in five major cities—Los Angeles, San Francisco, Detroit, Chicago and New York.

Negro anger appears to stem from a progression of circumstances: conditions in the Negro ghettos coupled with the belief that the possibility of a racial war by whites against Negroes looms over the country; a mounting impatience with life in the ghetto, and a new and stronger will to violence, encouraged by the revolutionary element of the black nationalist movement.

A GHETTO IS A GHETTO IS A GHETTO

Cities have distinctive qualities. Ghettos do not. Stand on a grimy street corner in Harlem and look, listen, smell. It closes in and the mind can play tricks: Is it 41st Street in Chicago, 12th Street in Detroit, Central Avenue in Watts or Fillmore Avenue in San Francisco?

The kids on the streets, particularly the little ones, have a tragic similarity in dress and appearance. The older people sitting on the filthy stoops in the evening can make a stranger forget he isn't in yesterday's town. Time and space become irrelevant in ghettos.

It is this sameness that bodes America ill, this mass of trapped humanity, fixed and frozen in yesterday's dream within a Nation already in tomorrow. Immune to wars on poverty, civil rights laws and liberal rhetoric, this other, yesterday country threatens to explode now. A brick through a window, a man on the roof with a gun, fire—all are signs of hope for the ghetto because the rest has failed.

Hope is what brought the black masses to the cities: Hope of life without the Southern rural oppression, hope of jobs and hope of decent housing.

Somebody else's dream was fulfilled, but not the black collective dream. That was shattered by the cruelty of the ghetto; the dilapidated housing; the overcrowded, non-teaching schools; the low-paying jobs, when jobs existed at all; the idleness in the midst of affluence and a rate of ghetto unemployment of more than 30 per cent.

It came upon this Nation slowly, this will to violence by black people. Always the violence had been internal, with blacks visiting their anger and frustration on each other.

But the dream deferred too long has revealed the fury at last. The streets are hostile now, the tension is almost electric, the hatred of "the man" is out in the open.

"Look here, brother, you go back and tell that white man we got nothing to say to him. When we do have something to say—when we get it together, see—we'll let him know. We'll contact him on the Detroit-Newark Bell System . . . He always answers on that line."

He was a black nationalist in Chicago, but he could have been in any of the five cities visited recently by this reporter.

That black nationalist and hundreds like him across this Nation are preaching to the black communities in ever harsher tones. Black America has not yet become a revolutionary cauldron, but the voices of the revolutionaries among the nationalists are be-

coming dominant. They are listened to when others are ignored or scorned.

An Urban League street worker in Chicago explained to me that the gang youth with whom she works "don't want anything to do with white people. They don't want them around."

This hatred and anger were below the surface until recently. The political activists, the demonstrators, were marching for integration. Today, they stand at the edge of the precipice, flirting with the thought of burning this Nation's cities to cinders.

Two reasons for this change seem overwhelmingly apparent:

First, the disillusionment is complete; the dream of better things in the North has become a cruel hoax viewed from a tenement window. After trekking from Alabama to Detroit, there is no place else to go. So the anger turns against the city and those who run it—the politicians, the police, the storekeepers, the school officials. They are considered parties to the conspiracy.

Second, the belief that the white man is reading "Hitler's solution"—concentration camps and ovens—for the blacks is heard everywhere. The word genocide is used regularly now.

"If America plays Nazi, we ain't goin' play Jews." This is what H. Rap Brown says and many in the ghetto believe they may soon be fighting for their very lives. Detroit contributed to that feeling. The police reaction convinced many black people that whites have a will to murder them.

This remark, by a nationalist leader in Los Angeles, is typical of the many made on the question of possible genocide against black Americans:

"How long do you think this (white) man is going to allow black folks to burn up his cities? Isn't property more important to him than people? I can see it coming: Ovens for black people."

Down the street, at 41st Street and Central Avenue in Watts, a potential follower of that black nationalist was already resigned to an early death. At the age of 17, he was convinced the game was already over, the battle fought and lost. He was in the white man's hell and he saw no way out.

Out of school and out of work, he was asked why he did not join a training program or find some other route off the corner. "Ain't no use," he said, dragging on a cigarette. He looked at me and continued: "Man gonna get me, kill me off, no matter what I do. Here in the street one night, maybe. Maybe on the Freeway, he stop me: BAM. Or maybe over there, ya know, Vietnam. That's the cool way. Me and the Vietcong out there. Bang. Bang. Me dead. Or the Vietcong dead. Either way, the white man won."

When the black revolutionaries speak of "getting it together," they mean, among other things, getting that young man to hope that in violent struggle against this society he may be free at last to pursue life without fear of death from the white man.

The black nationalists seem to be getting through to ghetto youth, where all other organizations and programs fail.

"YOU ARE BEAUTIFUL"

What the black nationalists are offering ghetto youth is more than a chance to participate in organized violence. They are telling him all over the country that because he is black, "you are beautiful." They are telling him the white man has been proved a liar and a cheat.

In Watts, a black nationalist explained that "there are at least two kinds of nationalists on the street today. One is 'do-rag brother' and the other is the oratorical nationalist."

"The only thing keeping the whole business from blowing wide open, right now," he said, "is the oratorical nationalists. They

are out there trying to keep it cool. They blow against 'Whitey' and how bad he is, but this is how they gain the respect of 'do-rag' brother. Those nationalists that everybody is condemning are saying to 'do-rag' all of the time, 'Keep cool, brother, keep it cool.' They are the best friends America has."

The expression "do-rag" is a description of the unemployed high school dropout who sometimes wears his hair straightened or "processed." The cloth that keeps the process in place when he sleeps is called a "do-rag."

Rap Brown often expresses his belief that the most useful development in the black community is the acceptance of violence for political ends. But for many of the youths on the corners, Rap Brown and the nationalists are not yet real. The youths are much too cynical to believe that the nationalists mean them any more good than other politicians. "It's all a hustle," a youth in Detroit said when asked about the nationalists.

The nationalists count on the future as an ally in the struggle for minds in the black communities.

In the future they see the black returnees from the war in Vietnam as technical assistants in the struggle in the cities. "They have skills we need," Rap Brown says.

A black returnee interviewed in New York is training teen-agers in what he calls "self-defense." He would say little about what he is doing or why he is doing it.

But he did say: "I went over there to fight 'Charlie Cong' and one day in a bar in Saigon, a cracker from Texas called me 'nigger' for coming in the place. Soon after that it dawned on me that I was fighting the wrong 'Charlie.' My enemy is not 'Charlie Cong.' It's 'Mister Charlie.'"

The future to which the black revolutionaries look also contains yesterday as evidence of what an unchanged tomorrow could be like for the black urban masses.

Perhaps the single weapon on which these revolutionaries rely most heavily is the history of relations between the races in America.

It is not just slavery to which they point, not just the lynchings that multiplied in the years after the collapse of Reconstruction, not just the years of deprivation in the cities and abuse in the rural South.

They point with anger at the years when "the law of the land" was supposedly on the side of the black man. In damning white Americans for their failure to deal equitably with black people, the nationalists cite the black condition since 1954.

The concerted drive for black equality in the United States began with a victory. The National Association for the Advancement of Colored People, long a fighter for equality through law, won a landmark case on May 17, 1954. The United States Supreme Court, in unanimous decision, ruled that racially separate education was unconstitutional and inherently unequal.

The drive for integration gained momentum that day.

But today the nationalists tell their potential constituency that more black children are in segregated schools now than in 1954 (partly because there are more black children), black unemployment is as high in the big cities as at any time since the end of World War II, and the condition of black people in general has not improved measurably.

For most of the post-1954 years of the civil rights movement, the focus was on the rural South and the smaller Southern cities.

In May, 1963, the battle in the cities began. Birmingham, Ala., was the scene. Black youths and Police Commissioner Bull Connor's men met in what nearly became open combat. The youths faced fire hoses and police dogs with their fists and rocks.

A year later, Harlem, sometimes called the capital of Black America, "did the thing." A

riot, with shooting and looting, broke out. Within hours the black-initiated violence had spread across the river to Brooklyn; five days later, the ghetto of Rochester, N.Y., was in flames. One month later, it was Philadelphia.

A new form of black political protest was inaugurated that summer. In August, 1965, a six-day "rebellion," as the nationalists call it, erupted in the Watts section of Los Angeles.

The frustrated black masses, having exhausted the picket line and the sit-in, had found the national Achilles' heel—the cities.

What looms on the horizon is more carefully planned insurrection, sustained and skilled internal warfare. The objective is vague. The revolutionaries speak of "escalating the price of racism," of making it prohibitively expensive to whites for Negroes to remain a dissatisfied, unfulfilled group within the society.

I asked the revolutionaries if they did not believe their numbers too small to achieve a military success.

Their reply amounted to this: Second-class status within the American system has taken a frightening toll on most of the 25 million black people in this country. The rates of drug addiction, alcoholism and other forms of social pathology are indices of this toll. The incidence of starvation in the rural South is evidence, say the nationalists, of an attempt to blot out the Negro.

With violence they hope to force American society to transform itself, to find the means of eliminating racism and poverty. They have no military might, save for the ability to wreak havoc. They say often they would rather "die like men" than live as they are.

A Black Nationalist in Detroit spoke about the "dangerous contrast" that he believes contributed to the violence there.

"It's the very fact that some Negroes in Detroit live very well, while most live so poorly," he said. "That's the dangerous contrast that the people on 12th Street could see." Twelfth Street was the scene of much of the rioting. "Look, this is 12th Street, look at the condition of these people." The automobile was passing burned-out stores, ramshackle buildings and street corners where drunks and some derelicts were hanging out.

Then, with a vicious turn of the wheel, the nationalist drove off 12th Street one full block.

Palatial. That is the word that came immediately to mind. The name of the street is Boston Boulevard, and it was a two-minute drive, or a five-minute stroll, from the midst of Detroit's "riot zone." But there is no rioting on Boston Boulevard, or on Chicago Boulevard, which is one street over. On these streets, the houses are one-family, brick and stone dwellings of Colonial and Tudor design.

"Right here," said the nationalist, "right next to all of that poverty, homes like this. And the kicker is that this is not just white affluence. That might not be so bad. White and black live here. A brother from 12th Street only has to walk a block and he can see black folks—the same color as he is—doing very well. Doing fine."

He placed the onus on the black middle class to find a way to show they are concerned with the plight of their brothers on 12th Street.

A nationalist in Watts said:

"These so-called middle-class Negroes think they're going to escape. There ain't gonna be no escape when that man is ready with his ovens. You black, you burn. That's all."

Among the youth of the black middle class there appears to be a growing commitment to the nationalist movement. A Columbia University graduate, talking about the value of his college education, said:

"I am not here to prepare for a 32d vice niggership at General Motors." He indicated

he felt a commitment to the black struggle instead of to himself alone.

THE POWER OF MALCOLM X

His generation, perhaps more than any other age group, was fired by the speeches and the political stand of one man, Malcolm X, who, even in death, abides with the black nationalist movement.

He surely has more followers now than while he lived. His cutting statements about the white man are quoted everywhere.

"Our shining black prince" are the words Ossie Davis, playwright and actor, used to describe Malcolm at the time of his funeral in February, 1965. On the streets, it is not his "princeliness" so much as it is his manhood that is honored and emulated.

At a time when civil rights leaders were urging nonviolence and "the redemptive power of suffering," Malcolm X was telling the black masses that they should be preparing to defend themselves if attacked.

A young man who works with street youth in San Francisco said Malcolm is admired among black youth "because he was the first to tell back people to be men, and not pets begging at 'massa's table'."

Many of the nationalists of today regard Malcolm X as their spiritual father and ideological progenitor. He articulated a dedication to blackness as a cause and the unity of black people as a goal.

A Los Angeles nationalist said he did not believe Malcolm X would have advocated violent action "until the people were ready, really ready."

He added: "There ain't no way you can have a revolution of blacks without bringing in the middle class, and they just ain't ready yet."

It is this kind of unity that the nationalists are working for today.

If this goal is ever achieved, "we will then be able to decide," says Ron Karenga of Watts, a nationalist, "whether we want integration, separation or violent revolution."

Moderates Still Dominate Here

The center of the Negro political stage of Washington is still held by the racial moderates in the Negro community despite a trend toward black nationalism that is growing faster elsewhere in the Nation.

"The reason why Washington's nationalism is still among the Howard students and not on the streets," one nationalist said, "is that Washington hasn't had a riot—yet."

The Washington Post survey of five major cities—Los Angeles, San Francisco, Detroit, Chicago and New York—confirmed the view that nationalism rises in a city after it has had a major racial outbreak.

At Howard University, the story is somewhat different from the story on the streets. There, the university administration and a coalition of students and faculty members functioning under a "black power" banner are in a struggle over the question of what kind of school Howard should be.

Future "black power" eruptions in Washington seem likely to come from the Howard student body, which, although much of it is middle class, has made a strong identification with the plight of lower-class Negroes.

"Washington has all of the problems that every other ghetto has, and a few that other ghettos don't have," said one nationalist observer who said he did not understand why there was not much more black nationalist activity in the city. The "extra" problems to which the observer, a visitor from Watts, said he was referring were the lack of an elected government in the District and a black majority in the population, much of which is poor and living in substandard housing.

Negroes did turn out in large numbers earlier this summer when H. Rap Brown, the angry SNCC leader, spoke here, but Washington is not one of the cities in which SNCC claims a strong following at this point.

[From the Washington Post, Sept. 25, 1967] THE BLACK REVOLUTIONARIES—II: INTEGRATION: A NEARLY FORGOTTEN GOAL

(By Robert C. Maynard)

It is more than 13 years since the Supreme Court ruled that separate classrooms for whites and Negroes are unconstitutional. That decision, *Brown vs. Board of Education*, fueled the movement against segregation in American society.

Now the clamor for integration has quieted in the black communities. The black nationalists have taken the political stage with their doctrine of racial separatism.

Central United Church of Christ in Detroit, the only known black nationalist Christian church in the Nation worships a black Messiah. Two Sundays after the Detroit riot, this is what the pastor, Rev. Albert C. Cleage Jr. told the congregation about the golden door of integration:

"There is no escape for you, and when white people try to tell that good niggers can get through this golden door of integration, don't believe it. We don't even want that door, because that's destroying us."

The church is in the heart of the area where Detroit's violence erupted last July. The membership has been gaining steadily.

Such harsh rhetoric, barely heard a half generation ago, has become a new political language on the streets of black America.

Louis H. Michaux, owner of National Memorial African Book Store and a black nationalist in New York for more than 30 years, believes black nationalism is stronger than ever in Harlem.

Visits to five cities—Los Angeles, San Francisco, Detroit, Chicago and New York—tended to confirm this belief.

A group of black nationalists were joking in Harlem one evening. One of them quipped to a reporter:

"If I had integration and an Edsel and I wanted to sell one of them, it would be easier to sell the Edsel."

Floyd B. McKissick, national director of the Congress of Racial Equality, has turned his back on integration as a goal for Negroes.

"... we are told that Negroes must be integrated into middle class white schools," McKissick says. "In other words they're saying mix Negroes with Negroes and you get stupidity."

McKissick has an alternative in mind. "Maybe a school committed to respect the individual, a school enjoying the confidence and support of the community, a school recognized to reflect its faith in the pupil and the parent can achieve excellence—even if that community is poor and black."

Between the Supreme Court in 1954 and McKissick in 1967, a great gulf has grown in this Nation between blacks and whites.

The Rev. Cleage, during a Detroit interview, used one apocalyptic example to illustrate the dramatic shift in purpose from integration to black nationalism.

It happened on a Sunday in Selma, Alabama, and Mr. Cleage wasn't there, but he remembers it well. The Negroes there were planning a march from Selma to Montgomery along Highway 80.

National television recorded the scene as then-Gov. George C. Wallace's highway patrolmen and the deputies waded into the marchers and beat some unconscious. That night, after the 11 o'clock news, Mr. Cleage suggests, many a black American felt he lived in an enemy land.

That incident does not stand alone. There was the murder of three civil rights workers, two white and one Negro, in Philadelphia, Miss., in June, 1964. There was the murder of four little girls the previous September in the dynamiting of Sixteenth Street Baptist Church in Birmingham, Ala. And there were still other incidents that were emblazoned by the television tube on the national consciousness.

Such episodes, Mr. Cleage believes, undermined the non-violent civil rights movement and "unmasked the white man to the black people who had not yet grasped the fact: We are dealing with an enemy who is not going to accept us into American life."

"Dr. King led black people to understand that integration could never come to pass. He helped black men to understand that 'the man' is an enemy. When Dr. King said, 'My dream has turned into a nightmare,' he was speaking for all of us."

THE LAST PICNIC

McKissick now calls the 1963 March on Washington "the last picnic" of the integration movement.

Dr. King's dream, was that one day the sons of slaves and the sons of slavemasters would walk hand in hand in Georgia in peace and freedom.

The day when black men would dare to dream such dreams in public, Mr. Cleage said, is gone. To him, there is a different—and more realistic—vision: A black nation controlling its own destiny.

Where such a nation should be depends on what black nationalist is speaking. For James Boggs of Detroit, once a Marxist and now a nationalist, the city has become the black man's land.

Boggs is one of the leading theoreticians of the black nationalist movement in Detroit, which has in recent years become a leading center of black nationalist thinking in America.

Boggs set forth his theory on black control of the cities in an article published in April of 1966 in *Monthly Review*, a socialist magazine. In an interview recently, Boggs said he stands by what he wrote then:

"America has already become the dangerous society. The Nation's major cities are becoming police states. There are only two roads open to it. Either wholesale extermination of the black population through mass massacre of forced migrations on to reservations as with the Indians . . . Or self-government of the major cities by the black majority, mobilized behind leaders and organizations of its own creation and prepared to reorganize the structure of city government and city life from top to bottom. . . .

"But the war is not only in America's cities; it is for these cities. It is a civil war between black power and white power, the first major battle of which was fought . . . between 18,000 soldiers and the black people of Watts."

The city is not the black man's land to Milton and Richard Henry, also of Detroit. The two brothers are advocates of separate states for blacks. Milton is a lawyer and Richard is a technical writer for the government.

They want states, five of them, where all black people can relocate and live as a nation separate from whites. They list such Southern states as Florida, Louisiana and Georgia.

Milton Henry postulates that black people were brought to America as slaves against their will. When the Emancipation Proclamation was signed in 1863 by President Lincoln, Milton Henry says, "black people were not asked whether they wanted to be a part of this thing or not."

The Henry brothers are not alone in the separate state doctrine. The Nation of Islam, commonly called the Black Muslims, has had as its goal for years the separation of blacks from whites.

Boggs and the Rev. Cleage are fighting for black people to control those areas where they now are, rather than a new and separate area.

"The white community must understand," Mr. Cleage said, "that they have to assist in the transfer of power, power for the black community to govern itself and control its own finances."

INFERIORITY COMPLEX

The nationalists say any assumption that Negroes benefit from closeness to whites undermines black pride and that it inculcates blacks with an inherent inferiority complex. Leaders of the movement also argue that whites have treated black people in a cruel manner that should not be forgiven and surely not forgotten.

A black corporation executive—not a nationalist activist—made the point to a visiting reporter.

He is a top man in one of the nation's largest firms. He had just returned from Europe with a handsome collection of paintings, which he invited the reporter to examine.

Beside the collection in the executive's luxurious Riverside Drive apartment, there was a tiny photograph tacked on the wall.

It showed the back of a black man who had been savagely lashed. Behind the photograph was a written explanation that the man had committed a minor infraction on a Louisiana plantation in the middle 1800s and was lashed across his back 49 times with a cat-o'-nine tails.

The Negro executive explained:

"I look at that every morning before I leave for downtown. It reminds me of who I work for. I never want to allow myself to be lulled into forgetting who 'the man' really is."

[From the Washington Post, Sept. 26, 1967]

THE BLACK REVOLUTIONARIES—III: POLICE—SYMBOL OF OPPRESSION

(By Robert C. Maynard)

Always it is the police. They are the symbol of oppression in black America.

"They recruit for the nationalist," . . . said a street worker in Chicago.

"All it takes to be a cop in this town is a 10th-grade education," said a nationalist in Detroit. "So, during the riot, you had black dropouts out there battling white dropouts."

The Chicago street worker expanded on what he meant by police "recruiting" for the black nationalists.

"It's the way the cops behave that convinces these kids that the white man is the devil; they see what the cops are: crooks on the take who'll kill a black man for running a red light."

It goes deeper than that. Wherever black men believe that white America is determined to kill off the black population, those black men also believe the police are the vanguard of the extermination movement.

In a survey of five cities. The Washington Post found a conviction spreading in black communities "at a hard line against Negroes is being drawn in America, and the police man the ramparts to do the initial dirty work."

A white minister in Detroit described the arrest procedure of black people doing the rioting there as "barbaric." He recounted the experience of a pregnant woman arrested on a looting charge.

She was told to "jump" from the police van, as other prisoners were told to do. She protested and was forced to jump from the van. She later was placed in a cell where she miscarried. The minister claims her screams for aid brought no response from the police in the stationhouse. He went outside and vomited.

A middle-class Detroit woman who witnessed some of the police behavior at the height of the violence said:

"It became obvious to me for the first time in my life that the business of the police in a black community is genocide. They seem to feel a need to kill black people. Their hatred was unbelievable."

A boy of 15 on the West Side of Chicago

was asked one morning by a reporter what in this city he feared and disliked most.

He said it was the thought of being caught alone on the street at night by two white policemen.

"That's when they get their kicks, and I mean kicks," the youth said.

When black nationalist revolutionaries speak of controlling their own communities, they are speaking principally of controlling the businesses that operate there and the police. As long as the businesses remain white, so will the police, a nationalist said.

Black teen-age boys in several cities said they believed that the police with whom they deal, or who deal with them, would never behave as they do on a man-to-man basis without the authority of the state and guns on their hips.

One Chicago policeman had a gruff response to this intimation of cowardice. "Those kids talk tough," he said. "Not one of them who talks all the time about police brutality could handle me or any other cop one-to-one."

A street worker for the Chicago Urban League, describing her efforts with a West Side gang, said that in her view the "police made statements not worthy of mature professionals" regarding the young people with whom she works.

In Chicago, perhaps more than any other city in the survey—Los Angeles, San Francisco, New York and Detroit were the others—the black community lives in dread of the police.

"The way they'll do a man is something awful. And right in front of his family, his kids. If they feel like it, they'll make a man feel like nothing right in front of his own kids." The speaker was a black truck driver who had overheard a conversation a reporter and two street workers were having at a lunch counter.

"Warning," says a button that floats around in black communities, "your local police are armed and dangerous."

Few who have lived in all-black communities seem to need the warning. They already believe it.

Part of a poem, "One Way," by Donald Ferguson, a young Chicagoan, says:

"A god was begged,
Yet allowed the taking
Away at the end of
A shotgun muzzle,
Harnessed in a yellow-helmeted
Coward's grasp of
Authority."

He referred to the life of Billy Furr, killed on the streets of Newark while running away from a grocery store with part of the contents of a stolen six-pack of beer.

In "Rivers of Blood, Years of Darkness," Robert Conot's comprehensive study of the violence in Watts two years ago, the author quotes a Los Angeles policeman:

"I've been waiting all my life for something like this to happen. I'm gonna make mincemeat out of some of those mother . . . while I've got the chance."

The Los Angeles County Sheriff's Department (different from Los Angeles Police Department) recently published a manual for policemen on community relations. It contains this statement, from an International City Managers' Association publication:

"Today's policemen are the heirs of that frightful legacy of ill will built up over many years—the man who walks the street bitter at the police may still be harboring a grudge of forty years' standing. . . ."

And here is the statement of an 18-year-old from Chicago. Lest he be misunderstood, he wrote down what he had to say on the subject of the police:

"We do not understand why the police officers beat us and locked us up. They knocked out our front teeth, and yet I don't hate

them. They used the law to prove their point. We think (the) point is to prove to us that he is bad and he wants us to fear him . . .

"We realize that there are many police, but we can fight them like we fight each other. All we have to do is get together with the Blackstone Rangers and the South Side would be safe for you, your children and our brothers and sisters."

The anger and frustration in urban ghettos have many causes, but the actual spark consistently is set off by the longstanding mutual hatred between police and the black community.

The woman in the Chicago candy store was speaking of that hatred.

"You can always tell when something bad happened with the cops. Angry, very angry, you know, the people. The cops, not so good. When you get back to Washington, tell Johnson—you talk to Johnson?—anyway, tell Johnson: Find a way to fix it so the cops don't make people so mad. Give the cops more money, maybe? I don't know."

Up the street, a young father, out with his son for a walk, was asked his solution:

"If they don't get those bastards out of the Negro neighborhoods, there's going to be a war. I look at them and feel like I want to kill. Tell you, if my kid comes home from school and tells me the teacher told him the policeman is his friend, that teacher is going to be in a world of trouble with me."

A black policeman in New York:

"I ain't got no whole lot to say to you because I don't know who you are, only who you say you are, but I will say this: It gets harder all the time to be black and a cop. Very hard, baby."

[From the Washington Post, Sept. 27, 1967]

THE BLACK REVOLUTIONARIES—IV: GHETTO VIEW OF VIET WAR: "HELL, NO"

The old woman, many times over a grandmother, had seen numerous summers on Chicago's South Side. She brushed aside a reporter's questions about violence in the streets.

"I used to think all this killing and cuttin' was awful, just awful," she said. One of her eyes was covered with cataract. She fixed the good eye on the visitor to her stoop:

"If my grandson is going to die, I'd rather he died right here on this street and not off in somebody's 'Vietnam.' He ain't got no business in them Chinese folk's backyard noway."

"These folks in Detroit now. All that burning an' lootin' an' everybody saying folks shouldn't be violent. How you goin' tell people, little people, not to be violent when the whole United States is kickin' them little Chinese so awful. Don't make no sense, none a' all."

An orange sun was slipping below the Chicago skyline and the woman stared at it. Children in the street were excited by a sportscar and swarmed around it.

"Them little boys," the old woman said. "Devils. No place to go and play, nobody to teach 'em what it's all about. Mother's on the welfare, you know. Poppa's gone. And the young men can't find no jobs so they join the Army and go to Vietnam. Shouldn't be no black folks shootin' no brown folks for no white man. We been killing too long for the white man, tha's all. I seen those boys goin' off in the '42 war to kill Germans an' them Japs. I watched them off this street when they went off to Korea. Now they're goin' to Vietnam. Black folks ain't got nothin' out of all these white people's wars. Nothin' but a whole lot of hell."

It was not the first bitter black reaction to the war in Vietnam where more than 150,000 black Americans serve.

In Detroit, the black community speaks proudly of the poetry of 29-year-old Norman Jordan. He has tried to express the ghetto's

response to the war in a poem entitled "Not This Time, Baby." Here is an excerpt:

"Hell
We are on
To you whitey
trying to off
yellow power
with black power
(killing two birds
with one stone) . . ."

A summary of black community reaction to the war would contain these points, made again and again:

A disproportionate number of Negroes serve, are wounded and die in the war.

The war consumes resources that could be applied to the needs of the poor.

The war is to secure "freedom" for Vietnamese not enjoyed by blacks in the United States.

The war robs the black community of young men who might be leaders in the struggle for equality.

Also cited is the charge that the war is "practice" of weapons and techniques that could be applied in the event of a black uprising in the cities.

At the most extreme fringe of the political spectrum, among the radical revolutionaries, the war is seen as part of a worldwide struggle against the aspirations of poor nonwhites for self-determination. In that respect, it is linked to the battle for control of the cities.

"I figure when the paratroopers come to Detroit to fight me, that's that many fewer paratroopers that can mess with the Vietnamese," one radical said.

Some black nationalist revolutionaries speak of the war in Vietnam and the battle at home as the same struggle, a struggle against the white man.

"This beast must be stopped. The Vietnamese are doing their part and I have to do mine," one San Francisco revolutionary said.

But black feeling against the war is not confined to poor people or revolutionaries. Among middle class black people strong support of the war is difficult to find.

Fran's Restaurant in Harlem is the eating place of the black elite—that is, the black elite that chooses to eat in Harlem restaurants.

The manager at Frank's from time to time runs secret polls on various political issues.

Lloyd Von Blaine, the manager, is proud of his record. His poll, for example, matched the plurality of John V. Lindsay in the 1965 mayoralty election.

The latest Frank's poll was on Vietnam. Approval of the war: 1276, no, 456, yes. Is the U.S. winning? 1107, no, 406, yes. Should we pull out? 1041, yes, 552, no.

One young radical was asked why so many black men volunteer and reenlist if the war is unpopular among black people.

"Three hots and a cot," was the answer. "When there's a decent society to come home to, there won't be very many black guys signing up for Vietnam, you can be sure of that," the young man said.

James Bevel of Mobilization for Peace in Vietnam, says he tells black youths who ask him what to do if they are called:

"When Johnson comes to get you, you say, 'I won't go.'"

Growing in popularity among radicals is Matt Jones' song, "Hell, No, I Won't Go."

One of the last bastions of black civil rights respectability, the NAACP, is heading for troublesome division because of the war. Its New York Youth Division at a meeting recently called the war "morally unacceptable." That statement conflicts with the NAACP neutral position on Vietnam.

The Youth Division asserted that the war is "a pretense on the part of this Government to get blacks to close ranks and retreat into the bag of 'loyalty' while their position in this country grows intolerably worse."

One widely distributed tract on the war is

an illustrated primer entitled "Vietnam," which is of highly professional editorial and graphic quality. It began circulating in black neighborhoods about a month ago and does not identify the sponsoring organization.

The only information is of the artist, T. G. Lewis. Its message is pitched in a simple, low-keyed form.

The pamphlet lists the many black leaders and black heroes—Martin Luther King, Malcolm X, Adam Clayton Powell, Muhammad Ali and others—opposed to the war.

Showing a wounded black soldier, it says: "One Negro man said: 'Why should I fight for a country that has never fought for us?'"

It asks the reader, portrayed as black on the next to last page, to decide if "the war in Vietnam—the war that is fought in your name—(will) keep on killing?"

There is no price tag in the booklet. A reporter was handed one in a Harlem store, and shown one by a nationalist in Chicago who was taking up a collection to have 5000 printed.

The black nationalist revolutionaries have a tendency to make what has been called "Vietnam analogy." It was heard formulated this way in Chicago:

"McNamara likes to say reason for the bombing of North Vietnam is to force it to halt its aggression against the South. White America has been committing aggression against the Nation of the black man since 1619. If bombing cities halts aggression, I'm willing to try Chicago and New York."

[From the Washington Post, Sept. 28, 1967]

THE BLACK REVOLUTIONARIES—V: NATIONALISTS WOO YOUNG

(By Robert C. Maynard)

In the muggy air of a Los Angeles August night, the dozen boys stood on the sidewalk. It was their posture that was noticeable at first glance; very erect.

They were questioning each other, in a Socratic manner.

"What is a man without values?" a youth in a Malcolm X sweatshirt asked another.

"A man without values is a man that is unpredictable."

"What does nationalism demand?"

"Nationalism demands study. Show me a true nationalist and I'll show you someone who studies."

And they had been studying. The colloquy sounded familiar. The building before which they were standing is the headquarters of US, the Los Angeles militant-mystical black nationalist organization of Ron Karenga.

Inside, for one dollar, a visitor could purchase the "Quotable Karenga." In it, he would find the answers to all of the questions the young men, practically all of whom had "Afro" haircuts, were asking one another.

While the questions went on outside, and while some youths practiced karate kicks on the sidewalk, the man who conceived US and runs it with a smiling charm and firm will, was answering the questions of a reporter.

The youths outside, he said, are "the young Simbas—Swahili for 'lions'—the future leaders of a strong black nation of America. His chief goal, he said, is to harness the energy of the youth. He succeeds, he claims, where others fail because he challenges them with daring and courage, while other groups seek to offer an undesired security.

If they study to be good nationalists, what do they study? Do they read, for example, the revolutionary writings of Frantz Fanon, the late Martiniquean psychiatrist?

"One should read only what one has to read," Karenga replied. "If I have read it, I will reflect it to them."

Study Karenga, then, and you have studied what is important? "Correct."

What Karenga calls the "young Simbas," and what a Chicago police officer told a reporter were "a bunch of no-good bastards, all of 'em," is that group of black youth between the ages of 14 and 18 years old.

Such non-nationalist organizations as the Urban League and such militant groups as SNCC are trying to find a way to harness, as Karenga claims he can, the energies and potential of that age group.

The officials of every city that has had a major violent outbreak say that the youth in that group are the principal source of energy for the riot once it gets started.

The Washington Post, in a survey of five cities, Los Angeles, San Francisco, Detroit, Chicago and New York, found no organization that could claim it had really hit upon a formula that worked for large numbers of these youth.

Three programs seem distinctive, but representative of the nationwide effort. Those are Karenga's in Los Angeles, Operation Bootstrap in Los Angeles and the street program of the Chicago Urban League. They are listed in descending order of revolutionary zeal.

Numbers alone make the 14- to 18-year-olds important. In 1960, 40 per cent of America's 22 million Negroes were under the age of 19 and it is estimated today that half of the black population is under 25.

US, Bootstrap and the Urban League each has different approaches and different purposes for seeking out the youth of the ghetto:

Karenga makes no bones about it: He is trying to build a powerful nationalist organization that might one day opt for violent revolution.

Robert Hall and Lou Smith, the innovators of Operation Bootstrap, designed the program as a model for a possible nationwide black economy.

The Urban League is trying to deal with the youth of the black community where they are, and in Chicago that's mostly in gangs. What the street workers do is attempt to understand what the gang youth wants from the society and try to help him get it.

Smith and Hall are frightened. They see a program on the immediate horizon in America.

"It is not too far off," Smith says grimly. "I don't put ovens past white America for a minute. What with technology, there is just no more use for black folks, that's all."

To Smith, there is a narrow way out: If black people can somehow develop economic independence, a system within a system, that does not cost whites anything, perhaps black people will be spared the fate of the Jews in Nazi Germany.

Without a penny of Federal money, Bootstrap has started:

A welfare mothers' league that organizes recipients to demand their rights and is often consulted by the Los Angeles Bureau of Public Assistance.

A training center that teaches computer programming, sewing and automobile body repair.

A black arts school for the teaching of dramatics, with emphasis on black achievement.

A dress shop that features African style dresses and men's shirts made of imported African print material.

Smith looks to the day when the Bootstrap model is operating all over the United States and black enterprises are engaged in trade with black countries throughout the world. Black American enterprises would import raw materials and ship back finished products.

Smith also strives to eliminate prejudice among whites through what he calls "sensitivity sessions" every Thursday evening.

Whites come from such suburbs of Los Angeles as Beverly Hills to engage in what Smith and Hall describe as "frank dialogue." Others have called it "bloodletting."

"If you have a white friend, and you want to remain friends, don't go together to one of those sessions," warned one veteran participant.

Smith says the purpose of the sessions is "to soften up white power. They still con-

trol the economy and the education of the country. We are still going to have to save whiteness."

The saving of a whole generation of black youth is the task to which the Urban League street program in Chicago is devoted.

Gang membership figures in Chicago are difficult to establish because the gangs rarely divulge their numbers. The largest and best known is the South Side Blackstone Rangers. They have gone almost wholly "respectable" now, what with anti-poverty grants and a somewhat successful musical revue, "Opportunity, Please Knock," produced under the direction of Oscar Brown Jr.

One youth worker at the Urban League, a warm and matronly woman, asked not to be identified by name. She spoke about a young man named David, who is 18 years old.

"David feels like he's lost," she said. "He doesn't have the confidence to feel he's going to get out of his blind. He feels lost in the shuffle. He has had jobs, the kind of jobs that have been degrading as far as he's concerned."

WANT A PLACE TO MEET

David is the leader of the Disciples in Englewood, a West Side neighborhood. The Disciples, whose members are known as the Devil's Disciples, want a place of their own to meet and discuss their problems and to socialize.

In what amounts to a letter to the older generation, David tries to explain the reason gangs exist:

"I am a gang fighter, but can you say that your son is any better than me? I have three years of high school, but those years I have learned that school is one thing but life is another. My life is the Devils . . . We are few but we fight like many. Ours is not to reason why but to live and fight and die. We are few but we fight like many . . . We owe ourselves one thing [and] that is self preservation. This is a dog-eat-dog world."

Ron Karenga thinks the gang members have a future, perhaps for the very reason the police of Chicago and Los Angeles feel they have none, because they are disaffected and outside the flow of society and have no access route into it.

Karenga tells his followers, and potential followers, that they begin to become men when they realize the system was designed to work against them, and their only recourse is the discovery of a culture and an identity of their own as black people.

Although a Ph.D. candidate at the University of California at Los Angeles, he speaks in a language youths like David easily understand.

SOMETHING IS WRONG

"The Christian is our worst enemy," Karenga says. "Quiet as it's kept, it was a Christian who enslaved us. Quiet as it's kept, it's the Christian that burns us. Quiet as it's kept, it's the Christian that beats us down on the street; and quiet as it's kept, when the thing goes down, it'll be a Christian that's shooting us down. You have to face the fact that if the Christian is doing all this, there must be something wrong with Christianity."

The Davids of Los Angeles, wearing their yellow sweatshirts with pictures of Karenga or a lion embossed on the front, know this and understand it. They also know Karenga's "seven criteria of culture"—mythology, history, social organization, political organization, economic organization, creative motif and ethos.

Like David, they are ready to fight.

"We must fight for the right of self-determination, race pride and pursuit of blackness," says Karenga. "We must believe in our cause and be willing to die for it and we should stop reading other people's literature and write our own, and stop pretending revolution and make it."

Though Karenga's organization has not yet

spread beyond Los Angeles, the appeal is to a national following.

In Chicago, David is a Disciple. Karenga wants the Davids of Chicago, and San Francisco, Detroit and New York to become young Simbas—lions.

[From the Washington Post, Sept. 30, 1967]
THE BLACK REVOLUTIONARIES—VI: BLACK NATIONALIST MOVEMENT SPAWNS CULTURAL REVIVAL

(By Robert C. Maynard)

"Yet do I marvel at this curious thing:
To make a poet black and bid him sing!"
—COUNTEE CULLEN.

The black nationalist movement in America is spawning a cultural resurgence that artists and writers claim may surpass any previous period of artistic activity in the black community.

And black nationalism has invested the arts with a special mission, to evoke images of beauty that are black and images of blackness that are beautiful.

The quantity of activity appears to be growing in every city.

In Chicago, a group of black artists has created a mural of heroic portraits of Negroes that adorns the side of a tenement on the South Side.

In practically every large city, journals of black poetry and prose are being published by groups of black nationalists.

Organizations in several cities, among them Washington, plan mural walls imitative of the Chicago effort.

The creators in Chicago as well as those planning walls in other cities say the walls will be gifts to the poor and black community in exaltation of their culture.

The nationalist movement's goal is a separate political and cultural identity for Negroes. The black arts movement serves the cultural function of that goal.

Another source of inspiration for the nationalist movement is the Black Christian Church, a relatively recent development. In Detroit, for example, Central United Church of Christ, where a Black Messiah is worshipped, has nearly 1000 members and is growing at a rate of 25 to 30 new adherents each week.

One institutional development the black arts movement is relying on is the black cultural centers, where the paintings are displayed, the drama and music performed and the poetry read.

Washington was one of the first cities to have such a center, the New School for Afro-American Thought.

Gaston T. Neal, one of the directors, said the school hopes to do more than become an institution to house and encourage the arts. "We want to train and produce black minds," he said.

One course the school offers covers the subjects of who black people are in relation to the rest of mankind, whether black Americans are a caste or a class, "Revolution: the world's and ours," Liberalism—"an enemy or an asset," all under the general title of "The Politics of Being Black in Racist U.S.A."

Neal, discussing the Negro contribution to American culture in the past and present, said:

"If they used all of their IBM machines to try to add up the achievement of black culture, the machines would burst."

He argued that it is one of this Nation's marvels that black people produced artistic and cultural movements in the midst of racial adversity.

"If we didn't have an inventor, a writer, a musician or a painter, the very idea that we survived is a monument in itself," Neal said.

Roland P. Young, appraising the growth of black nationalist poetry in a recent issue of San Francisco's "Journal of Black Poetry," said he hoped the poetry would fulfill the function of an "image thirst-quencher—a beautiful black self-image."

He quotes poet LeRoi Jones, one of the key figures of the black arts movement, on the subject of black poetry. Three lines say:

"Let the world be a Black Poem
And let all black people speak this poem
Silently or aloud."

Larry P. Neal, another of the popular black nationalist poets, speaks to black women:

"Again the sea unites us
As we couple with the land and the stars
of our ancestors' stars.
Black universe.
Embrace sky.
Blackness. Wholeness."

Much of the poetry and painting which the black arts movement is producing is the work of young artists.

By contemporary critical standards, much of it would be considered crude, but these are the standards by which the artists do not wish to be judged. Their critics, they say, are their communities, for the art is part of the internal black dialogue.

In the visual arts, the great figure for many black artists—and some white ones as well—is Charles White, whose work is now being exhibited at Howard University Gallery of Art.

James A. Porter, director of the gallery, said recently in an appreciation of White that he thinks of him "as the artist who, more than any other, has found a way of embodying in his art the very texture of Negro experience as found in life in America."

And Neal, speaking of White, said: "He holds in his hands the mystique of the black people."

A Chicago poet, Eugene Perkins, in a spirit reminiscent of the praise given White, said the black artist of today should feel proud of the story he has to tell of his people.

"Where we came from and how we got to where we are," said Perkins, "is a story of beauty and strength that we need feel no shame to tell."

The spiritual black nationalist, a relatively new phenomenon, is typified in the Rev. Albert C. Cleage Jr. of Detroit, pastor of Central United Church.

He preaches the doctrine of a Black Christ and says he feels on solid doctrinal and historical grounds.

Speaking of white Christians, the Rev. Mr. Cleage says:

"If they want to worship a Black Christ, that's their business. Christ was a black man."

The parable of the Children of Israel trying to escape from Pharaoh's Egypt is the parallel he used for black people trying to gain control of the territories in which they are in the majority.

Alluding to the pestilence that afflicted Egypt when Pharaoh failed to allow the Israelites to leave, Cleage made the connection for his congregation: The sermon was delivered two Sundays after the Detroit riot.

Gracing the altar of the church is the "Black Madonna," a mural by Glanton Dowell of Detroit.

The Madonna is one of the black arts movement's most popular pieces. References to it are made by artists all over the country.

One artist assured this reporter that the Madonna "will change your concept of Christianity."

The size of the mural and the exaggerated blackness of the figures contribute to its impact. The Madonna stands 18 feet high over the altar and is nine feet wide. Both Madonna and child are robed in white.

For many years, the Negro artist in America struggled over the question of whether he was first an artist and then a Negro or first a Negro and then an artist. The vanguard of the black art movement today is unequivocal: Black first.

The generations of artists before them

were seeking to define themselves and their place regarding the larger world.

Cullen was a product of the Harlem Renaissance movement of the 1920s, a movement that also produced Langston Hughes and was the generation before Richard Wright. Those men, and ultimately James Baldwin, spoke to white and black. The black arts movement today is strictly concerned with speaking to black people.

The artists are concerned with unifying black people, and they use their expression to that end. As Neal put it, "art that does not serve the cause of the people at this point is useless."

[From the Washington Post, Oct. 1, 1967]

THE BLACK REVOLUTIONARIES: BLACK NATIONALIST FIGURE OF 1920'S IS HONORED

(By Robert C. Maynard)

The clouds and sun played hide and seek over San Francisco. It was cold when it was the sun's turn to hide. A Saturday morning crowd of about 50 was a hardy lot that had gathered in a small park to celebrate Marcus Garvey Day.

Similar celebrations, in which thousands participated, had taken place in Harlem and dozens of other black communities across the Nation.

They were honoring Garvey as the man who brought black nationalism to America a half century ago and who inspired such leaders as Black Muslim Elijah Muhammad, Malcolm X and a host of others.

Nevertheless, to most Americans, Marcus Garvey, the father of the black nationalist movement, is a virtually unknown figure.

Three decades before the black nationalist and Muslim movements became widely known in this country, Garvey was promulgating his vision of independence and separation for the world's black people. His movement once was one of the most powerful forces in black America and was known wherever in the world large numbers of black people lived.

He wanted to form a nation of black people in Africa, with a government of its own.

"We do not mean a government that will make us citizens without rights or subjects without consideration. We mean a government that places our race in control . . ."

Twenty-five years before it happened for the Jews, he was arguing, in essence, for an Israel for black people.

He tried to make such a homeland in Africa, but the move failed. He conceded at the time that not all black people wanted to repatriate themselves, but he was fighting for such a place to exist for those who might want to go to there.

Marcus Moziah Garvey was born on Aug. 17, 1887, to black parents in the little village of St. Ann's Bay in Jamaica, British West Indies.

After traveling in Latin America and England, Garvey became convinced that black people were being exploited by whites everywhere and that they needed a government and a territory of their own.

It was an Egyptian, Duse Mohammed Ali, who helped Garvey to cultivate his interest in Africa, but it was an American who inspired Garvey to choose the United States as a starting place.

Two more different men than Booker T. Washington and Marcus Garvey would have been difficult to find in Negro politics of the early part of this century. Garvey was uncompromising in his demand for black equality in the world; Washington often was called "the great compromiser" on Negro rights.

But Garvey said he read Washington's autobiography, "Up From Slavery," and "then my doom—if I may so call it—of being a race leader dawned upon me."

The year then was 1914. "My brain was

afire," Garvey said, at the thought of "uniting all the Negro peoples of the world into one great body to establish a country and a government absolutely their own."

After forming the Universal Negro Improvement Association, Garvey came to the United States in the spring of 1916, amidst war overseas and racial turmoil in America.

A great Negro exodus from the Southern farm to the Northern city was in progress. Between the boll weevil and the racists, life in the South was becoming untenable for many Negroes.

The weevil was eating the cotton faster than the farm hands could pick it, and the racists were lynching more than ever. Furthermore, the cities were calling for cheap and unskilled labor to meet the industrial demands of the war.

Several cities were in the throes of race riots, the bloodiest of which was at East St. Louis, Ill.

The state of morale of the Negro was at a low point. Soldiers back from fighting a war for democracy in Europe ran serious risk of death or injury for failure to observe the caste system in the South.

It was into this kind of America that a pudgy 28-year-old Jamaican came with the rallying cry of "Up, you mighty race!"

After some organizational difficulties, Garvey had a growing UNIA movement in the United States by 1920.

Negro World, Garvey's newspaper, was one of his chief organizational instruments. It was widely read and widely quoted at the time.

Unlike other Negro publications, it refused to accept advertisements for skin lighteners and hair straighteners on the ground that such products were degrading.

Garvey's most widely known enterprise was a steamship line. It ultimately led to his downfall and shook the faith of his many followers in "Black Moses," as he was later to be called.

Garvey said he had two purposes in creating the Black Star Line, as the steamship firm was known. First, he wanted Negroes to gain the experience and earn the profit from a large enterprise. Secondly, he saw the line as the beginning of a communication system among black people the world over.

"The Black Star Line Corporation," Garvey once said, "presents to every black man, woman and child the opportunity to climb the great ladder of industrial and commercial progress."

He and other Black Star officials sold more than \$600,000 in stock in one year, promising "large profits and dividends," which would be earned for stockholders "even whilst they will be asleep."

His detractors charge that that is precisely what Black Star investors were—asleep. The enterprise was a total disaster, financially and politically.

Seven years after coming to the United States and three years after he had reached his zenith, Marcus Garvey was convicted of mail fraud in connection with Black Star dealings.

His other dream, that Liberia would be hospitable to Negro American colonists, also dissolved when the West African government said Garveyites would not be welcome there. Garvey charged the Liberians had been pressured by European governments.

Appeals of his conviction to the Supreme Court having failed, Garvey entered the Federal Penitentiary at Atlanta on Feb. 18, 1925, nine years after coming to the United States with a dream of black liberation.

"Garvey is a Negro, but even a Negro is entitled to have the truth told about him." So observed the New York Evening Bulletin in an editorial after Garvey was jailed; no longer was his guilt so certain in the minds of critics and editorial writers.

He did not serve his full term of five years, but was exiled to Jamaica instead.

Among the black nationalists of today, Garvey is honored as the man who articulated the basic tenets of black nationalism.

He died in London on June 10, 1940, having lived to see all but the barest bones of his organization collapse.

There is today an ironic footnote to Garvey's life. It was his movement that created the public pressure for changing the word Negro from a lower case to an upper case spelling. It was a move that began in 1920 and was almost universally accepted by 1929.

Today, the black nationalists who preach the concepts Garvey preached reject the word Negro as derogatory, preferring to be called black.

CRIME: A GROWING MALIGNANCY

Mr. BYRD of West Virginia. Mr. President, the magazine Nation's Business for October 1967, contains an article on page 85 entitled "The Bitter World of the Policeman" that I believe can profitably be read by everyone.

It deals with the ever-increasing breakdown of respect for law and order in this country, and with the growing difficulties our police officers are facing in dealing with crime. It makes the shocking statement about Washington that, if the present trend is not halted, "the Capital of the free world may soon rank first in crime."

Mr. President, this is a situation that we ignore at our peril. Court decisions have so tied the hands of police officers that they are hamstrung in the performance of their duty. In many cities police departments now have to spend so much time overseeing demonstrations that they have little time left for preventing crime or dealing with it after it has happened.

Many police officers feel that they have been let down by the community and the courts. Last year, according to the FBI, 57 policemen were murdered while carrying out their daily duties. This is a serious and appalling situation. It is a malignancy that threatens the very basis of our free society.

Mr. President, I ask unanimous consent that this article be reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE BITTER WORLD OF THE POLICEMAN

For \$5,000 a year—a little more in some places and less in others—you can get a job that will:

Let you work poor hours in unpleasant surroundings.

Subject you to charges of brutality.

Allow you to be jeered—and perhaps mauled—while dealing with the irresponsible, the criminal or the racist.

Let you risk your life helping to quell a riot.

Yet, tie your hands by court decisions.

More and more across America today this is the bitter role of the policeman. In an increasing number of cities police recruiting is a serious problem. Police departments are undermanned. Young police officers are quitting in great numbers. Older ones wish they could.

Police morale is sinking alarmingly.

The policeman feels that the community is not behind him, the press is generally against him and that he has been abandoned by the courts.

In a civil disturbance—a race riot, for

instance—the police force is your first line of defense, the preserver of law and order.

Americans are beginning to worry about the future of law and order as well as the terror and tone of recent court decisions. Prominent jurists are speaking out. Police administrators are disturbed. The businessman has a lot at stake and he's worried.

HOW MUCH BRUTALITY?

Hardly a race riot in the country is not followed by cries of police brutality. Is it justified? Undoubtedly some cases are. However, charges of police brutality are so common now the FBI has ceased to compile them for routine release.

A few recent years' statistics tell a revealing story.

In fiscal 1963 the FBI investigated 1,376 complaints of police brutality stemming from possible civil rights violations. Twelve indictments were returned resulting in four convictions. In 1964 there were 1,592 complaints resulting in 16 indictments and four convictions.

And in 1965 the FBI handled 1,787 complaints which developed into 13 indictments and six convictions.

After the Newark riot a suit was filed against the local police department charging a long and continuing pattern of police brutality. It asked that the department be placed in receivership and that a special "master" be appointed with full administrative power over its affairs.

Some 200 affidavits from Negroes claiming various kinds of mistreatment were compiled in favor of the lawsuit. But the affidavits were kept secret.

The *New York Times* wondered editorially: "How can police officials be expected to correct abuses when no complaints are filed?"

The newspaper suggested that the policeman's predicament was due some consideration from the Negro community. As it put it, "If some police lash out indiscriminately at anyone with a black skin, so do some Negroes hurl abuse, rocks, bottles and even bullets at anyone with a white skin—especially when he is in uniform."

Last month in Milwaukee, city police were subjected to four hours of indignity and abuse in the City Hall headquarters of Mayor Henry W. Maier while a group of racial demonstrators wrecked his office.

Quinn Tamm, a retired assistant director of the FBI and now executive director of the International Association of Chiefs of Police, says:

"Placing the blame on the police is an easy answer, but a grossly unfair one. The police are not responsible for the social conditions that contribute to crime nor is it within their direct purview to alleviate these conditions. The mission of the police is, in theory, a simple one—enforce the law. This does not mean some of the laws some of the time, but all of the laws all of the time.

"When professional agitators such as H. Rap Brown and Stokely Carmichael can, with impunity, direct their followers into burning and looting and guerrilla warfare, law enforcement in our nation has reached a crisis of utmost gravity."

The serious fact is, however, that some police with slum beats today turn their heads when crime is committed rather than suffer the inevitable insults and injury that would result if the law were enforced.

Last year, according to FBI figures, 57 policemen were murdered in the performance of duty.

Among the 442 persons involved in the killing of police officers since 1960, 67 per cent had prior criminal convictions and 69 per cent had received leniency in the form of probation or parole on at least one of the prior convictions.

Sen. Robert C. Byrd (D-W. Va.), chairman of the Senate appropriations subcommittee for the District of Columbia, is among those

concerned with the plight of the policeman. He is particularly worried over conditions in the Washington police department whose officers are having to cope with a skyrocketing rate of crime.

The nation's capital in 1957 ranked twelfth among 16 cities of comparable size in the incidence of crime. It now has been catapulted into second place. If the trend is not reversed, the capital of the free world may soon rank first in crime.

COMPLAINTS IN PRIVACY

Senator Byrd called in some 50 Washington policemen in the privacy of his office to hear their side of the story. It was much the same: Not enough backing from the community and press, unfair charges of police brutality and court decisions which hamstringing them in their efforts to maintain law and order.

Says Senator Byrd, "As the policeman continues to be subjected to unfounded and unjust charges, as he continues to have to make his arrests and maintain them in the face of a hostile, abusive, violent mob, as long as he has to continue to put his life in great danger, feeling that he does not have the support or the appreciation or the thanks of his superiors, the press, the community, the Congress, the Executive Branch and the courts, he is going to be less likely to want to be a policeman."

"They are subjecting their persons to the hazards of police work in vain and they are experiencing the ridicule of the community, as a result of the extreme leniency of the courts," Senator Byrd charges.

"The police feel that it is a vain thing to arrest a man for rape, and take him in, only to find that he was arrested last month for rape and turned loose back on the streets."

WHILE CRIMES GO UNPUNISHED

Police are having to cope more and more with demonstrations of every conceivable nature that all too often turn into civil disturbances. They spend increasingly more of their time overseeing demonstrations and less in thwarting crime.

Dozens of Washington police are giving virtually full time to pickets marching past the White House. They were called upon recently to quell a disturbance in the House of Representatives where demonstrators illegally crashed the chamber to protest legislation. And they were summoned in force to maintain order in a crowd of welfare recipients who descended on Washington to oppose legislation to make them work or take job training to stay eligible for relief.

The right of assembly is being abused. And the courts are frequently blamed for letting this happen.

At a recent meeting the Chief Justices of 45 states passed a resolution scoring the "malignant growth of disrespect for and disobedience of law, which in this year has culminated in unprecedented lawlessness and mob violence."

The Justices called for a reappraisal of the laws and procedures which affect the task of the policeman, the prosecutor and the courts in their effort to protect society.

Leading law enforcement officials claim Supreme Court decisions over the past few years heavily favor the criminal and are making it increasingly difficult to obtain convictions. This is especially so in the case of stringent restrictions imposed on police methods of obtaining confessions.

Testifying before a Senate committee recently, the hard-hitting New York District Attorney, Frank Hogan, asserted that these restrictions have "significantly increased the chances that a criminal will escape judgment."

Senate Minority Leader Everett Dirksen says:

"Never in our history have our people been so threatened. Never before has civil discipline been so lax. Never before has

leadership been so lacking. The law must be enforced. The great failure of our society is its inability to maintain law and order."

Judge Warren E. Burger of the U.S. Court of Appeals in the District of Columbia believes that the present court system has grave flaws and that law-abiding citizens are becoming embittered and frustrated.

WHY CRIME RATE IS SO HIGH

He says the criminal defendant in the United States is offered more procedural protection—such as suppressed evidence and dismissal of charges because of technicalities in conducting searches and making arrests—than anywhere in the world.

In Judge Burger's opinion, this may account for the fact that the crime rate in most countries is lower than ours. Sweden, for instance, with a population of eight million, has about 20 murders a year. Washington, D.C., with one tenth Sweden's population, has eight times as many murders.

Where have we gone wrong? Perhaps Evelle Younger, former California superior court judge and now district attorney for Los Angeles county, says:

"Many Americans regularly and openly disobey laws they don't like. The traditional methods of seeking changes in the law by urging legislative action seems old-fashioned. We have been sophisticated law and morality out of existence."

Much of the racial trouble today, he feels, is brought on by those who convince Negroes they can achieve all their demands simply by threatening a riot. And the blame rests not only on racial demagogues but on government officials as well.

On this subject, Professor Fred E. Inbau of the Northwestern University Law School and president of Americans for Effective Law Enforcement, observes:

"The philosophy of excuse and individual unrestraint is prevailing too often in government. We have the fuzzy idea that, because an individual is poor or socially deprived, we ought to overlook his criminality. There has been a gradual erosion of the notion that people have responsibilities as well as rights. 'The Supreme Court has contributed to this by overemphasizing individual rights. But civil liberties are meaningless unless you can exercise them in a safe, stable society.'

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR THE VICE PRESIDENT TO SIGN ENROLLED BILLS DURING ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Vice President be authorized to sign duly enrolled bills during the adjourn-

ment of the Senate until Monday, October 16, 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, before I move to adjourn, would the Chair kindly state the pending business?

The PRESIDING OFFICER. The pending business is S. 2171, a bill to amend the Subversive Activities Control Act.

Mr. BYRD of West Virginia. I thank the Presiding Officer.

ADJOURNMENT UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon Monday next.

The motion was agreed to; and (at 2 o'clock and 46 minutes p.m.) the Senate adjourned until Monday, October 16, 1967, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 12, 1967:

DISTRICT OF COLUMBIA COUNCIL

John Walter Hechinger, of the District of Columbia, to be Chairman of the District of Columbia Council for the term expiring February 1, 1969.

Walter E. Fauntroy, of the District of Columbia, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1969.

The following-named persons to be members of the District of Columbia Council for the terms indicated:

TERMS EXPIRING FEBRUARY 1, 1968

Margaret A. Haywood, of the District of Columbia.

J. C. Turner, of the District of Columbia. Joseph P. Yeldell, of the District of Columbia.

TERMS EXPIRING FEBRUARY 1, 1969

John A. Nevius, of the District of Columbia.

TERMS EXPIRING FEBRUARY 1, 1970

Stanley J. Anderson, of the District of Columbia.

William S. Thompson, of the District of Columbia.

Polly Shackleton, of the District of Columbia.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 12, 1967:

SOLICITOR GENERAL OF THE UNITED STATES

Erwin N. Griswold, of Massachusetts, to be Solicitor General of the United States.

U.S. DISTRICT JUDGES

Lawrence A. Whipple, of New Jersey, to be U.S. district judge for the district of New Jersey.

Juan B. Fernandez-Badillo, of Puerto Rico, to be U.S. district judge for the district of Puerto Rico.

Damon J. Keith, of Michigan, to be U.S. district judge for the eastern district of Michigan.

U.S. ATTORNEYS

William A. Meadows, of Florida, to be U.S. attorney for the southern district of Florida for the term of 4 years.

Calvin K. Hamilton, of Missouri, to be U.S. attorney for the western district of Missouri for the term of 4 years.

Yoshimi Hayashi, of Hawaii, to be U.S. attorney for the district of Hawaii for the term of 4 years.

U.S. MARSHAL

Guy W. Hixon, of Florida, to be U.S. marshal for the southern district of Florida for the term of 4 years.

EXTENSIONS OF REMARKS

Manuel Norat, a Great Hair Stylist

EXTENSION OF REMARKS OF

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1967

Mr. POLLOCK. Mr. Speaker, last week in Cincinnati, Ohio, the Journeymen Barbers, Hairdressers, Cosmetologists, and Proprietors International Union of America, AFL-CIO, held the 1967 all-American barber spectacular and first annual U.S.A. championships in men's hairstyling. I was very pleased to learn that an Alaska man, Manuel Norat of Anchorage, won fourth place in the open free style international competition. In this competition Mr. Norat competed with barbers from around the world. He is the first from Alaska to achieve such an honor. The 49th State is fortunate to have such fine representation. We are indeed proud of his achievement. The winner of the championship was Mr. Daniel Ruidant of Belgium.

Mr. Norat will be making a further contribution to Alaska and to men's hairstyling. He has been designated as a superior hairstylist qualified to conduct advanced training classes for barbers. This November he will begin the first classes of this kind in Alaska. Conducted by the Journeymen Barbers, Hairdressers, Cosmetologists, and Proprietors International Union of America, AFL-CIO, this training will upgrade the skills of the profession in Alaska.

Not only is Manuel Norat a great hair stylist; he is a distinguished Alaskan and American, and a very fine gentleman.

I congratulate Manuel Norat on these

accomplishments. They are a fine contribution to his State.

Mrs. D. W. Bond, of Jackson, Tenn.

EXTENSION OF REMARKS OF

HON. RAY BLANTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1967

Mr. BLANTON. Mr. Speaker, one of the outstanding longtime farm leaders of my district passed away last Friday.

Mrs. D. W. Bond, of Jackson, has led a life of dedication to her community and to her State and to the farming people everywhere. She was 86 years old when she died, yet she has been active in the Madison County Farm Bureau until quite recently.

Mrs. Bond was a charter member of the Madison County Farm Bureau, and has been its secretary and a director since its beginning. She had been on the board of the Tennessee Farm Bureau ever since it was founded.

In 1924, she was chairman of the Women's Department of Tennessee, and promoted farm women throughout the State. She served as director on the Tennessee Rural Health Improvement Association, the Southern Region of American Farm Bureau Women, Tennessee Mental Health Association, Tennessee Library Committee, and various committees and boards in west Tennessee and the State.

"Progressive Farmer" magazine named her the "Woman of the Year" in 1945, and she has been recognized throughout the South and the Nation by awards,

certificates of achievement, and recognition and other honors.

She was one of the early organizers of the National Cotton Council, and a charter member of the Mid-South Cotton Growers Association.

The people of Jackson, and the State of Tennessee are deeply saddened at the passing of one of our most outstanding women leaders, one who devoted her life to rural improvement.

The Great Accomplishments of Ray Charles

EXTENSION OF REMARKS OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 12, 1967

Mr. JOELSON. Mr. Speaker, I have recently learned that during the summer, the city of Los Angeles formally adopted a resolution declaring Ray Charles Day in Los Angeles. In view of the inspirational way in which he has overcome handicaps, I am delighted that he was given this recognition. His great success in the world of entertainment is well known, but it is less well known that despite his own blindness, he has found time to participate in various charitable endeavors.

Ray Charles is chairman of the Sickle Cell Anemia Foundation, raising funds for research for this thus far incurable blood disease, and has assisted the Christmas Seal Foundation, Radio Free Europe, Children's Asthma Research, United Way, the Heart Association and